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City and County of San Francisco Immigrant Rights Commission

DOCUMENTS DEPT.

JAN - 5 2001

Notice of Meeting and Agenda

Rence Saucedo
Chairperson
Marie Lorraine Mallare
Vice Chairperson

Date: January 11, 2001
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Hearing Room 416
One Dr. Carlton B. Goodlett Place

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Commissioners:

Samuel Assefa
Penelope Chronis
Renato Ecarma
Anita Friedman
Isabel Huie
Fidel Jimenez
Philip Nguyen
Thou Ny
Richard G. Ow
Natividad Ramirez
Martin S. Schenker
Lee A. Sprague
Nam Thai

Executive Director:
Dang T. Pham

AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. **Roll Call**
- II. **Approval of minutes (Action Item)** (5 minutes)
(Explanatory Documents: Minutes of August and September meetings)*
- III. **Public Comment (Information Item)** (10 minutes)
- IV. **Presentation: (Discussion Item)** (25 minutes)
 - A. *Census 2000 - American Community Survey*
 - B. *National Network for Immigrants & Refugees*
- V. **Report from Committees (Action Item)** (40 minutes)
(Explanatory Documents: Report from the Policy and Access Committees)*
 - A. **Language Access Legislation**
Provide the most update of the status of the proposed legislation
 - B. **Public Housing**
 - C. **Commission Membership**
Nomination process for the new members of the Commission
- VI. **Future Activity (Action Item)** (10 minutes)
 - A. **Annual Report**
Commission to approve the 1999 - 2000 annual report
(Explanatory Documents: Draft annual report)*
 - B. **Annual Immigrant Pride Day**
Commission to consider organize the annual Immigrant Pride Day in San Francisco to highlight the valuable contributions of the immigrants.
(Explanatory Documents: None)*
- VII. **Next Steps (Action Item)** (20 minutes)
 - A. **Meeting with the new members of the Board of Supervisors and the Mayor**
The Commission seeking the support of the new Board of Supervisors and the Mayor regarding the public housing for the immigrant population
 - B. **Legalization Legislation**
Central American and Haitian Adjustment Act of 1999 (HR 2722)
- VIII. **Next Meeting's Agenda (Discussion Item)** (10 minutes)
- IX. **Adjournment**

For questions about the meeting please contact Dang Pham at 554-7583

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapters 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, please contact:

Donna Hall, Clerk
Sunshine Ordinance Task Force
City Hall – Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
(415) 554-5184 (Office)
(415) 554-5163 (Fax)
E-mail: donna_hall@ci.sf.ca.us

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

* Copies of explanatory documents are available to the public on the Commission's webpage: www.ci.sf.ca.us/immigrant/meeting.html; or, upon request to the Commission Secretary, at the above address or phone number.

DISABILITY ACCESS

The Immigrant Rights Commission meeting will be held in Room 416 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco.

The meeting location is between Grove and McAllister Streets and is wheelchair accessible. The closest BART and Muni Metro Station is Civic Center, about three blocks from the meeting location. Accessible Muni lines nearest the meeting location are:

42 Downtown Loop
49 Van Ness-Mission
F-Market & Muni Metro (Civic Center Station)

For more information about Muni accessible services call (415) 923-6142.

There is accessible on-street parking available in the vicinity of the meeting location.

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In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that others may be sensitive to various chemical based products. Please help the City accommodate these individuals.

LOBBYIST ORDINANCE

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For more information about the Lobbyist Ordinance, contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, (415) 554-9510, FAX (415) 703-1021, or visit their web site at <http://www.ci.sf.ca.us/ethics>

APR - 2 2001

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Immigrant Rights Commission
Minutes of January 11, 2001

The Immigrant Rights Commission (IRC) meeting was held on Thursday, January 11, 2001 at San Francisco City Hall, Conference Room 421, at 5:00 P.M.

Members Present Samuel Assefa, Penelope Chronis, Isabel Huie, Dale Jimenez, Marie Lorraine Mallare, Thou Ny, Philip Nguyen, Richard Ow and Reenee Saucedo.

Members Absent Renato Ecarma, Anita Friedman, Natividad Ramirez, Martin Schenker, Lee Sprague, and Nam Thai.

Others Present Dang Pham, Executive Director of the IRC
 William Chan, Deputy City Attorney

Committee Report Chair Saucedo reported to the Commission the status of the Language Access Ordinance. According to Sandra Lee, Legislative Aide to the Former Supervisor Mabel Teng, a few steps have been taken concerning the Language Access Ordinance. The Mayor's Office wants some amendments because of the projected high cost of the ordinance. The Board of Supervisors and the Mayor are sending out surveys to 15 tier 1 departments to ask for a specific cost estimate and methodology used to arrive at their estimation. When the surveys are returned and the Mayor's Office and the Board's budget analyst are satisfied with the cost figures, it will be scheduled for a committee hearing. Chair Saucedo reported that President Ammiano and Supervisor Sandoval has indicated that they support of the Language Access legislation and might be willing to take over the role of sponsor from Supervisor Teng who is no longer on the Board.

Chair Saucedo also reported that President Ammiano had not yet introduce the public housing legislation to the Board in the last session because the City Attorney's Office is reviewing the ordinance. Hopefully, he will be able introduce the ordinance in the very near future.
 No Actions were taken.

Annual Report The Commissioners review and made various revisions to the draft annual report include the list of community-based

organizations attended the community meetings, the Census 2000 Outreach activities and the advocacy role to the Board of Education to keep Newcomer High School remains at the same location. The Director will incorporate these changes into the Report and present the Report with the revisions for the Commission's approval in the February meeting. No action taken.

Miscellaneous The Commission meeting was adjourned early because Vice Chair Mallare and Commissioner Ow had to leave early thereby causing the Commission to lose quorum for the meeting.

Next Meeting: The Commission approved next meeting to be held in City Hall, Room 408 on February 1, 2001 at 5:00 P.M.

The meeting was adjourned at 6:40 p.m.



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

DOCUMENTS DEPT.

Notice of Meeting and Agenda
Date: February 12, 2001
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall—Conference Room 421
One Dr. Carlton B. Goodlett Place

APR - 2 2001

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AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (Action Item) (5 minutes)
(Explanatory Documents: Minutes of August, September and January meetings)*
- III. Public Comment (Information Item) (10 minutes)
- IV. Future Activity (Action Item) (60 minutes)
 - A. Annual Report
Commission to approve the 1999 – 2000 annual report
(Explanatory Documents: Draft annual report)*
 - B. Proposed Workplan and Budget for FY 2001-2002
(Explanatory Documents: Draft workplan and budget)*
- V. Next Steps (Action Item) (20 minutes)
Meeting with the new members of the Board of Supervisors and the Mayor
The Commission submit to the new Board of Supervisors and the Mayor the Annual Report and the Commission's Workplan
- VI. Commission Membership: (15 minutes)
Nomination process for the new Commissioners
- VII. Next Meeting's Agenda (Discussion Item) (10 minutes)
- VIII. Adjournment

For questions about the meeting please contact Winny Loi at 554-4789

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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* Copies of explanatory documents are available to the public on the Commission's webpage: www.ci.sf.ca.us/immigrant/meeting.html; or, upon request to the Commission Secretary, at the above address or phone number.

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MAY - 1 2001

Immigrant Rights Commission
Minutes of Special Meeting on February 12, 2001

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The Immigrant Rights Commission (IRC) special meeting was held on Monday, February 12, 2001 at San Francisco City Hall in Room 421, at 5:00 P.M.

Members Present Samuel Assefa, Penelope Chronis, Dale Jimenez, Isabel Huie, Marie Lorraine Mallare, Philip Nguyen, Thou Ny, Richard Ow, and Renee Saucedo.

Members Absent Renato Ecarma, Anita Friedman, Natividad Ramirez, Martin Schenker, Lee Sprague, and Nam Thai.

Others Present Dang Pham, Executive Director of the IRC
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

Minutes: The minutes of August 3, 2000, September 7, 2000 & January 11, 2001 meeting was adopted by the Commission.

Presentation: Commissioner Chronis volunteered to revise the Draft Annual Report and include changes made by the Commission. After discussion changes were incorporated into the draft work plan and budget, including corrections to budget allocations and totals. The Commission discussed Daily Operations, Annual Immigrant Pride Day and Outreach to the communities. Commissioner Ow voiced opposition to allocating funds for securing the use of meeting facilities, arguing that there are plenty of city owned facilities available for community meetings. The Commission agreed to consider limiting the use of city funds for outside facilities. It was agreed that some funds were necessary for emergencies, supplies, PA systems and other unforeseen expenses. The Commissioners voted unanimously to allocate \$5,000 in the budget for expenses related to conducting meetings outside City Hall. The Commissioners discussed the need for community education and awareness of the Immigrant Rights Commission's role in the community. Methods for increasing awareness include setting up a referral system to provide information to the public on such issues as current laws, changes in the law, community access to resources, education, public housing, and emergency funding. The Commissioners also proposed hiring an outreach person to

assist and educate the community about such resources. Commissioner Saucedo urged Commissioners who no longer want to serve to consider resigning and suggested that the Commission would benefit from bringing in new people with fresh ideas.

The Commissioners agreed that their top priority is to fill commission openings as soon as possible. Applications have already been sent out to new applicants who have been recommended by the Commissioners. As soon as the applications are received we need to approach the Board of Supervisors and nominate potential new appointees. The Commission agreed unanimously to submit the Annual Report as amended.

The Commission agreed to review amending the by-laws to reflect a new monthly meeting date.

Adjournment:

The community meeting was adjourned at 6:45 p.m.



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

DOCUMENTS DEPT.

Notice of Special Meeting and Agenda
Date: March 5, 2001
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Conference Room 408
One Dr. Carlton B. Goodlett Place

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AGENDA

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- I. Roll Call
- II. Approval of minutes (Action Item) (5 minutes)
(Explanatory Documents: Minutes of February meeting)*
- III. Public Comment (*Information Item*) (10 minutes)
- IV. Future Activity (*Action Item*) (20 minutes)
Proposed Workplan and Budget for FY 2001-2002
(Explanatory Documents: *Draft workplan and budget*)*
- V. Director Report (10 minutes)
- VI. Amendment of Bylaws (40 minutes)
Change meeting date from 1st Thursday to 1st Monday of every month.
- VII. Next Steps (*Action Item*) (20 minutes)
Meeting with the new members of the Board of Supervisors and the Mayor
The Commission submits to the new Board of Supervisors and the Mayor the Annual Report and the Commission's Workplan
- VIII. Commission Membership: (15 minutes)
Nomination process for the new Commissioners
- VIII. Next Meeting's Agenda (*Discussion Item*) (10 minutes)
- X. Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

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Immigration Newsbriefs

Monthly updates and reports by the Asian Law Caucus on Immigrant Issues

January, 2001, No. 1

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This monthly newsletter is intended to provide immigrant service providers with information on important issues and legislation affecting immigrants. The content in this newsletter is for informational use only. Individuals interested in any specific content should contact a licensed immigration law practitioner for details.

If you would like to be removed from this list, or know others who would like to receive this fax blast, please contact Kyung Lee at KyungL@asianlawcaucus.org, or at (415) 391-1655.

If there are other immigration issues you would like to see addressed, please contact the Asian Law Caucus.

Battered Immigrant Women Protection Act of 2000 (BIWPA) (AKA Title V of VAWA II) Eligibility Checklist

The Battered Immigrant Women Protection Act of 2000 (BIWPA) makes it easier for noncitizen women to obtain immigration relief without the assistance of their abusive husbands. Prior to the passage of this act and the Violence Against Women Act (VAWA) of 1994, immigrant women who suffered domestic violence were often forced to choose between staying in the abusive relationship or risk deportation. The purpose of the BIWPA and VAWA is to free women from this difficult situation by allowing them to apply for legal immigration status without the help of their abusive husbands. Below is an updated checklist according to the BIWPA of the requirements you must meet to be eligible for the two forms of immigration relief called *self-petitioning* and *cancellation of removal*. It is not intended to replace legal advice from an attorney.

If you are currently in immigration proceedings, please see an immigration attorney as soon as possible to determine your eligibility for cancellation of removal. If you are an abused spouse or child of a lawful permanent resident (LPR) or United States citizen (USC), you may file a petition for lawful permanent residence without having to rely on your abusive spouse or parent to file for you. If you are a noncitizen parent of a child abused by a LPR or USC, you may file a petition based on the abuse suffered by your child.

In order to be eligible for a self-petition, you MUST meet the following requirements:

- You have been battered or the subject of extreme cruelty.
- by a spouse or parent who is a United States citizen or lawful permanent resident.
- the battering or extreme cruelty must have occurred during the marriage,
- good faith marriage, on your part, to the abusive spouse; (you cannot have married the abusive spouse with the primary motive of getting around immigration laws),
- you may apply from abroad as long as some of the abuse took place in the U.S.,
- you resided with the abuser at some time,
- you are able to show good moral character for at least the past 3 years before filing the petition, and
- you are married to the abusive spouse at the time you file the self-petition or, if no longer married to the abusive spouse at the time you file the self-petition, the marriage must have been terminated for reasons connected with the domestic violence within the two years immediately prior to filing the self-petition.

New Immigration Law Will Allow Public Interest Parolees to Get Greencards

President Clinton signed a new law that will make it easier for up to 5,000 Public Interest Parolees (PIPs) from Vietnam, Cambodia and Laos to gain lawful permanent residency. Under the new law, most PIPs will be eligible to apply for naturalization immediately after receiving their greencards. The new law also contains several important waivers. Any PIP who currently is or will in the future receive public benefits will now be eligible to apply for a greencard. Consequently, affidavits of support are no longer a requirement. Also, PIPs who do not possess a valid unexpired immigrant visa (I-94), re-entry permit, or valid unexpired passport may now apply for a greencard.

Although the new law comes as a welcome surprise to many PIPs who previously had no means to attain green-card status, the procedure for applying for permanent residency under this new law will not be clear until the INS issues its regulations. The administrative process of issuing regulations may take up to two years. There are other provisions that may benefit complicated PIP cases. If you believe you may benefit from the new law or have any questions regarding the new law, please contact Asian Law Caucus to make an appointment during our free immigration clinics every first and third Thursday from 6-8pm.

Do you have a client who has been denied SSI? There's a new class action suit filed by the Homeless Action Center challenging the Dept. of Social Services' refusal to look at client's medical records. Contact ALC for more info.

THE EXTENSION OF SECTION 245(i) OF THE LEGAL IMMIGRATION AND FAMILY EQUITY ACT OF 2000 (LIFE ACT)

What is 245(i)?

Section 245(i) is a provision in the recently passed LIFE Act that can benefit individuals who are eligible to adjust status to that of a permanent resident, but previously could not because they were out of status at some point. Filing an immigrant visa petition is the first step in a two-step process to become a legal permanent resident. The second step is acquiring permanent residency (the "green card") by filing an adjustment of status application (INS Form I-485).

People who entered the U.S. without inspection, overstayed an admission, acted in violation of the terms of their status, worked without authorization, or were admitted in transit without a visa, are considered out of status and would not be able to complete the process to obtain a green card in the U.S. without Section 245(i).

Under Section 245(i), an eligible individual can REMAIN in the U.S. to obtain permanent residence through adjustment of status, and thus never trigger the 3 and 10 year entry bars. Thus, it is particularly important that people subject to the bars not leave the U.S. at all until they become permanent residents.

Why can't I adjust in the U.S. without 245(i) if I was out of status while here?

Without Section 245(i), out of status people needed to return to their home countries and complete the process for an immigrant visa at the U.S. consulate in their home countries. By leaving to complete the process, people who were in the U.S. but out of status for more than 180 days would be barred from reentering the U.S. for at least 3 years and maybe as many as 10 years.

How do I use 245(i)?

To take advantage of 245(i), a relative must submit a visa petition to the Immigration and Naturalization Service

(INS) on behalf of the person seeking Section 245(i) benefits. The U.S. citizen or legal permanent resident who is sponsoring the Section 245(i) eligible person must file (and sign) the petition by April 30, 2001. The INS doesn't have to approve the petition and you don't have to adjust by this date; but eligible people MUST have an immigrant visa petition (an I-130, I-140, or I-360) with the INS or a labor certification application with the Department of Labor (DOL) in order to take advantage of this new provision. Battered immigrant spouses can submit petitions for themselves, as can applicants for national interest waivers.

Legal permanent residents can petition for their spouses and unmarried sons and daughters (of any age). U.S. citizens can petition for their spouses, married and unmarried sons and daughters of any age, parents, and brothers and sisters.

IMPORTANT NOTE: The LIFE Act adds a new "physical presence" requirement: People who file a petition or labor certification after January 14, 1998 but before April 30, 2001 must prove that they were in the U.S. on December 21, 2000, the date this measure became law, in order to be eligible to use Section 245(i).

What can people do to make sure they take advantage of this new opportunity?

It is vitally important that people seeking Section 245(i) benefits seek advice from the people who can really help them: immigration lawyers and clinics with the expertise and knowledge to get the job done correctly. People who use notarios endanger themselves and their families and may end up, due to incorrect advice, being unable to use Section 245(i), out of luck and still out of status!

For questions or more information, please contact Ivy Lee at the Asian Law Caucus.

Asian Community Immigration Clinic

Free clinic for individuals needing assistance filing for naturalization.

When: 1st Saturday of every month (until May 2001)
Where: Chinatown Northbeach Community College
 740 Filbert Street
 San Francisco, CA 94133
Time: 10:00AM-2:00PM
Appointments: (415) 561-1017
Languages: Cantonese, Mandarin, English

Asian Law Caucus Immigration Clinic

Free clinic for general immigration assistance, including family petitions, naturalization, adjustment of status.

When: Every 1st and 3rd Thursday of each month.
Where: Asian Law Caucus
 720 Market St., Suite 500
 San Francisco, CA 94102
Time: 6:00PM-8:00PM
Appointments: (415) 391-1655
Languages: Cantonese, Mandarin, Vietnamese, English

ASIAN LAW CAUCUS, 720 MARKET STREET, SUITE 500 SAN FRANCISCO, CA 94102
(415) 391-1655, Phone (415) 391-0366, Fax www.asianlawcaucus.org

U.S. Department of Justice
Immigration and Naturalization Service
Community & Intergovernmental Programs

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Section 245(i) is not amnesty

What is it?

Our immigration laws allow qualified individuals to enter the United States as lawful permanent residents ("green card" holders) when they first obtain immigrant visas from a consulate or embassy outside the United States or, for many immigrants already lawfully in the United States, through a process called "adjustment of status." If you entered the United States unlawfully, or if you entered with permission but did not stay in lawful status, you normally would have to leave the United States in order to apply for an immigrant visa. Special rules under Section 245(i) may allow you to apply to adjust status without leaving the United States.

If I entered without permission or I did not stay in lawful status, how can I adjust my immigration status without leaving the U.S.?

1. IF YOU ARE ELIGIBLE TO ADJUST YOUR STATUS, THE FOLLOWING DOCUMENTS MUST BE SUBMITTED EARLY ENOUGH SO THAT THEY ARE RECEIVED ON OR BEFORE APRIL 30, 2001.

- a. INS Form I-130 must be submitted by a close relative who agrees to sponsor you. Your relative must be a United States citizen or lawful permanent resident. If the filing date of the I-130 is after January 14, 1998, then you will need to show that you were in the United States on December 21, 2000, when you file later for adjustment of status.
 - United States citizens may sponsor their parents, spouse, children (regardless of age or marital status), and siblings.
 - Lawful permanent residents may only sponsor their spouses and their unmarried children.
 - No one can sponsor uncles, cousins, nieces and nephews, brothers and sisters-in-law, or grandparents.

OR

- b. Department of Labor Form ETA-750 and/or INS Form I-140 should be filed if your employer agrees to sponsor you. Your employer should check with the local Employment Services Office to see which form(s) are required. In some cases, you may be able to file the forms yourself. If the filing date of the form(s) is after January 14, 1998, then you will need to show that you were in the United States on December 21, 2000.

Section 245(i) is not amnesty

OR

- c. INS Form I-360 may be filed, if you are a member of a special group such as an Amerasian, the widow(er) of a United States citizen, a battered spouse, or you may file a Form I-526 if you are an alien investor.
2. When a visa is immediately available you should file the Adjustment of Status Forms I-485 and I-485A, with the correct fees **and** a *\$1,000 penalty*. Unless you are the parent, spouse or unmarried child under 21 of a United States citizen, you must wait until an immigrant visa number is available to you before filing for adjustment of status. **THERE IS NO DEADLINE FOR THIS APPLICATION.**

This information about adjustment of status is based on the Immigration and Nationality Act, as changed by the Legal Immigration and Family Equity Act (LIFE) and LIFE Act Amendments. Detailed information on Section 245(i) will be included in the regulations to be published.

You might be eligible to adjust your status under a different part of Section 245, without paying the penalty and without regard to the filing deadlines, if you are someone who entered with permission but who has been out of status for 180 days or less, or if your sponsor is your spouse, parent, or child and a United States citizen. More information on application filing procedures and updates on LIFE and other immigration benefits can be found on the INS website, www.ins.usdoj.gov, or on the INS Help Line at 1-800-375-5283, as it becomes available.

These forms are available on the INS website.

I-130	Petition for Alien Relative
I-140	Immigration Petition for Alien Worker
I-360	Petition for Amerasian, Widow(er), or Special Immigrant (includes battered immigrants)
I-526	Immigrant Petition by Alien Entrepreneur
I-485-485A	Application to Register Permanent Residence or Adjust Status & Supplement A to Form I-485

1 [Extending the LIFE Act]

2 Urging the United States Congress to extend the "Legal Immigrant
3 Family Equality Act" after its April 30th termination, allowing
4 spouses and children of applicants for Immigrant Visa's to
5 continue to hold temporary visas while applications for
6 Immigrant Visa's are being processed.

7 WHEREAS, Approximately 75 percent of the 1 million green
8 cards and immigrant visas issued each year go to family members
9 of U.S. citizens and permanent residents; and,

10 WHEREAS, The Legal Immigrant Family Equality Act (LIFE)
11 will expire on April 30, 2001 unless the law is extended; and,

12 WHEREAS, The LIFE Act prevents spouses and children from
13 being severed from their families through deportation and it
14 allows them to live with their family members in dignity; and,

15 WHEREAS, San Francisco has taken many steps to proclaim
16 itself a "City of Refuge" for immigrants of all backgrounds;
17 now, therefore be it,

18 RESOLVED, That the Board of Supervisors of the City and
19 County of San Francisco urges the United States Congress to
20 extend the "Legal Immigrant Family Equality Act" after its April
21 30th termination, allowing spouses and children of applicants
22 for Immigrant Visa's to continue to hold temporary visas while
23 applications for Immigrant Visa's are being processed; and be
24 it,

DOCUMENTS DEPT-

MAR - 9 2001

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Mark Leno, Gerardo Sandoval

BOARD OF SUPERVISORS

1 FURTHER RESOLVED, That the Board of Supervisors urges
2 President Bush to sign it into law.
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Mark Leno, Gerardo Sandoval

BOARD OF SUPERVISORS

Legal Immigration and Family Equity Act (LIFE Act)

SUMMARY

(Based on drafts from Congressional offices)

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REAUTHORIZES SECTION 245(i) UNTIL APRIL 30, 2001

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Under the LIFE Act, the "grandfather" clause of Section 245(i) is extended from January 14, 1998 until April 30, 2001. As a result, any beneficiary of an immigrant visa petition or labor certification application filed before April 30, 2001 will be able to apply for adjustment of status under Section 245(i) if necessary. However, for any applications filed after January 14, 1998 (but before April 30, 2001) the applicant must prove they were physically present in the United States on the date of the enactment of the LIFE Act in order to be eligible for Section 245(i) adjustment of status.

CREATES A NEW TEMPORARY VISA FOR SPOUSES AND MINOR CHILDREN OF LEGAL PERMANENT RESIDENTS AWAITING AN IMMIGRANT VISA

In order to address the severe backlogs on the availability of visas for families, the LIFE Act provides a remedy for the spouses and minor children of legal permanent residents. Under current law, because these individuals are intending immigrants, there is no way for them to legally come to the United States, even for a short visit. By creating a new "V" visa, the law grants some family members a legal status and work authorization in the United States.

- New "V" Visa: Allows the spouses and minor children of lawful permanent residents (the Family 2A category only) who have been waiting more than 3 years for a green card, to enter the United States and be granted work authorization. In order to qualify the spouse or child must meet the following criteria:
 - ✓ A green card petition was filed on or before enactment of the law. The sponsoring permanent resident must already have filed a green card petition for the spouse or minor child with the INS as of the date that the LIFE Act becomes law.
 - ✓ Must have been waiting at least 3 years. The petition must either have been pending with the INS for three years or more or, if the petition has been approved, the spouse or minor child must have been waiting at least three years for their "turn" in the green card line.
- Waiver of Grounds of Inadmissibility and Adjustment of Status. The law provides that periods in the United States in unauthorized status will not prevent someone from obtaining a V visa (§212(a)(9)(B) shall not apply). The law also would allow individuals already in the United States to apply to "adjust status" to the new V category, even if they are in the United States unlawfully (§212(a)(6)(A), (7), and (9)(B) shall not apply). With the reinstatement of Section 245(i), V visa holders will be eligible to adjust their status to legal permanent resident under that section.

CREATES A NEW TEMPORARY STATUS FOR SPOUSES OF U.S. CITIZENS AWAITING AN IMMIGRANT VISA

In order to address the severe backlogs on the processing of petitions for family members, the LIFE Act creates a remedy for the spouses of United States citizens who are outside of the United States

and waiting for the approval of an immigrant petition. Any minor children who are seeking to accompany the spouse are also provided protection. By expanding the eligibility for a K visa, the new law will allow the spouse of a U.S. citizen to enter the United States and obtain work authorization while waiting for the petition to be approved.

- **Expansion of Fiancée Temporary Visa Category.** The bill expands the use of the "K" visa, which currently allows fiancées of U.S. citizens to enter the United States for the purposes of getting married, to be used by spouses of U.S. citizens who are already married and are waiting outside of the United States for the approval of their immigrant visa petitions. Any minor children who are accompanying the spouse can be included in the petition. In order to qualify the spouse and minor children must meet the following criteria:
 - ✓ An immigrant visa petition must be previously filed. The law requires that the U.S. citizen file an immigrant petition before a visa can be issued to the spouse abroad. The K visa will allow the spouse abroad to enter the U.S. and await the approval of the petition.
 - ✓ Recipient of the K visa must be outside of the United States. The law only authorizes the visa to be issued by a consular officer outside of the United States. There is no provision to "adjust status" for someone already in the United States in an unlawful status.
 - ✓ The K visa petition must be filed in the United States. The petition for the K visa must be filed in the United States by the U.S. citizen spouse.
 - ✓ Must have a valid non-immigrant visa at the time that the K visa is issued. Where the marriage to the U.S. citizen occurred outside of the United, the K visa recipient must have a valid non-immigrant visa issue by the consulate where the marriage occurred.
- **Available to current and future applicants.** The bill provides that this new K status is available both to individuals with currently pending green card petitions and future applicants.
- **Work Authorization.** Current law provides that K visa holders are permitted to work in the United States. This provision would apply to these new K nonimmigrants as well.

ALLOWS FOR THE ADJUSTMENT OF STATUS OF CERTAIN LATE LEGALIZATION CLASS MEMBERS

Who Is Eligible for Relief:

The LIFE Act makes some modifications to the provisions of the 1986 amnesty (Section 245A of the INA) and provides an opportunity to apply for this relief only to those people who were part of certain class action lawsuits against the INS for their improper handling of the 1986 amnesty program. To qualify a person must prove that he or she:

- Filed a written claim, before October 1, 2000, for class membership in *CSS v. Meese*, *LULAC v. Reno*, or *INS v. Zambrano* (three of the various class action lawsuits filed against the INS for their improper handling of the 1986 amnesty program).
- Entered the United States before January 1, 1982 and resided continuously in the United States in an unlawful status through May 4, 1988.
- Was continuously physically present in the United States beginning on November 6, 1986 and ending on May 4, 1988 (brief, casual and innocent absences will not interrupt a finding of continuous physical presence).

- Files an application for adjustment of status with the Attorney General within one year of the date on which the Attorney General issues final regulations to implement the new law. The Attorney General is required to issue those regulations within 120 days after enactment.
- Has not been convicted of any felony or three or more misdemeanors, has not assisted in the persecution of any person (on account of race, religion, nationality, political opinion or membership in a particular social group), and is registered or registering under the Military Selective Service Act (if required to do so under that Act).
- Is not inadmissible to the United States as an immigrant. The Attorney General may (for humanitarian purposes, to assure family unity, or when it is in the public interest) waive any of the grounds of inadmissibility except those relating to criminals, drug offenses, security grounds, and public charge grounds. In addition, the Attorney General may grant a waiver of the grounds of inadmissibility related to aliens seeking admission after previous removal and aliens present after previous immigration violations.
- Is able to pass the naturalization exam (relating to an understanding of basic civics and the ability speak, read, and write ordinary English), or show that they are satisfactorily pursuing a course of study (recognized by the Attorney General) to achieve such an understanding of English and civics.

Relief Granted Under the Law:

- Eligible applicants will apply directly for permanent residence, rather than for temporary resident status.
- The Attorney General is required to establish a process under which an alien who has become eligible to apply for adjustment of status as a result of the enactment of this law and who is not physically present in the United States may apply for such adjustment from outside of the country.
- Applicants who submit a prima facie application under this law are entitled to a stay of deportation, work authorization, and permission to travel while their application is pending.
- The limitation on judicial review under HIRAIRA (Section 377) will not apply to applicants under these modifications and they will be entitled to the same review allowed by the 1986 laws.
- Newly legalized persons will not be disqualified from receiving certain public welfare assistance. (Under the original Section 245A applicants were disqualified from certain assistance for 5 years after their application was filed). However, they may still be subject to restrictions based on the 1996 Welfare Reform Law.
- The confidentiality provisions of Section 245A (that generally prevent the information submitted on the application from being used for any purposes except criminal prosecution) will apply, except that information submitted by an applicant under the new law may be used in proceedings to rescind an adjustment of status.

GRANTS PROTECTION FROM DEPORTATION AND WORK AUTHORIZATION TO THE SPOUSES AND CHILDREN OF LATE LEGALIZATION APPLICANTS

Consistent with laws passed in 1990 to protect the family of legalization applicants who were already in the United States, the LIFE Act prevents the deportation of the spouses and minor children of a

person who is applying for late legalization under the new law. Also consistent with prior laws, these family members are eligible for work authorization

Who Is Eligible for Relief: To be eligible for benefits a person must prove that he or she is:

- The spouse or unmarried child of a person who is eligible for adjustment of status as a result of the late legalization provisions of the LIFE Act
- Entered the United States before December 1, 1988 and resided in the United States on that date.
- Has not been convicted of a felony or three or more misdemeanors in the United States, has not assisted in the persecution of any person (on account of race, religion, nationality, political opinion or membership in a particular social group), or is otherwise not a danger to the community of the United States.

Relief Granted Under the Law:

- Eligible people will be protected from deportation for violations of status in the United States but will continue to be deportable for other grounds of deportation, including criminal activity.
- Eligible people will be entitled to work authorization in the United States
- If the applicant for benefits under the late legalization provisions of the LIFE Act is applying from outside of the United States, the Attorney General is required to establish a process by which eligible spouses and children may be paroled into the United States in order to obtain the benefits under the new law.

PROVIDES CERTAIN WAIVERS AND PROTECTIONS AGAINST DEPORTATION FOR APPLICANTS UNDER NACARA AND HRIFA

Waiver of certain grounds of inadmissibility: In applications for adjustment of status under NACARA and HRIFA, the Attorney General may waive certain grounds of inadmissibility relating to re-entry after a previous order of deportation or removal (§212(a)(9)(A) and (C)).

Protection from reinstatement of prior orders of deportation or removal: In applications for adjustment of status, for suspension of deportation, or for cancellation of removal as provided by NACARA or HRIFA, the Attorney General is prohibited from reinstating previous orders of removal or deportation in order to prevent those applications from being filed (§241(a)(5) shall not apply).

Availability of Motions to Reopen: NACARA and HRIFA applicants who become eligible to apply for adjustment of status, suspension of deportation, or cancellation of removal as a result of the changes contained in the LIFE Act will be able to file one Motion to Reopen any exclusion, deportation, or removal proceedings in order to apply for an adjustment of status under the Act. This right to file a Motion to Reopen exists notwithstanding any time and numerical limitations otherwise imposed under the Immigration and Nationality Act

MAY - 1 2001

Immigrant Rights Commission
Minutes of Special Meeting on March 5, 2001

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The Immigrant Rights Commission (IRC) special meeting was held on Monday, March 5, 2001 at San Francisco City Hall in Room 408, at 5:00 P.M.

Members Present Samuel Assefa, Penelope Chronis, Dale Jimenez, Isabel Huie, Marie Lorraine Mallare, Philip Nguyen, Thou Ny, Richard Ow, Renee Saucedo and Renato Ecarma. Samuel Assefa arrived at 5:30, Thou Ny left at 5:30 and Richard Ow left at 5:35.

Members Absent Anita Friedman, Natividad Ramirez, Martin Schenker, Lee Sprague, and Nam Thai.

Others Present Dang Pham, Executive Director of the IRC
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

Presentation: Commissioner Penelope Chronis volunteered to correct the amended minutes for February 12, 2001. E. Lia Bolden, Partnership Data Services Specialist for US Census Bureau, spoke to the Commissioners about the update on Census 2000. The mail response rate was over 70% due to the successful ad campaign and out-reach to the minority communities. The apportionment count was released to the President on Dec. 31st. California gained one congressional seat. The Census information is used in many ways to educate the communities. This can be very useful in business planning, putting grants together and planning for schools in certain areas. Census information is available on the Internet <http://www.census.gov>, CD-ROM and DVD.

The Commissioners also suggested some changes and comments to the Proposed Budget Plan and the need to provide a more specific work plan budget for fiscal year 2002. Director Dang Pham gave the Commissioners some feedback regarding meetings with The Board of Supervisors. He spoke with Victor Young, The Clerk of the Board, about the six applications received from interested applicants to the Immigrant Rights Commission. He also mentioned that the Mayor's office expected that Commissioner Penelope Chronis will consider to re-apply to the Immigrant Rights Commission.

The Commission voted unanimously to amend the By-laws and monthly meeting time. The Commissioners agreed to have the regular monthly meetings held on the first Monday of each month, except in the case of City recognized holidays, when the meeting shall be held on the following Monday of that month. Commissioner Renee Saucedo briefly reviewed what issues should be discussed during our meetings with the Board of Supervisors. The top priority is to fill the vacant Commission seats as soon as possible. The Clerk of the Board has received six applications.

Next Meeting: The Commission approved to next meeting to be held in City Hall, on April 2, 2001 at 5:00 p.m.

Adjournment: The community meeting was adjourned at 6:20 p.m.

APR - 2 2001

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[Amending the Bylaw Changing the Commission Regular Meeting Time.]

Resolution amending Article V, Section A of the Commission's Bylaw to change the regularly monthly meeting time of the Commission.

WHEREAS, Pursuant to Article V, Section A and Article VI of the Commission's Bylaws, the Commission is authorized to amend the provisions of the Bylaw from time to time; and

WHEREAS, The Commission desires to change its regular meeting time to make the meeting more convenient for each individual Commissioners; now, therefore, be it

RESOLVED, That Article V, Section A of the Bylaw is hereby amended to read as follows:

Regularly monthly meetings shall be held on the first Monday of each month, except in the case of City recognized holidays, when the meeting shall be held on the following Monday of that month. Meetings shall be held at City Hall, 1 Dr. Carlton B. Goodlett Place, Hearing Room 416, in the City and County of San Francisco, unless otherwise noticed by the Commission. Such regular meeting place and time may be changed from time to time by an amendment to the Section.

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APR - 2 2001

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FILE NO.

RESOLUTION NO.

[Amending the Bylaw Changing the Commission Regular Meeting Time.]

Resolution amending Article V, Section A of the Commission's Bylaw to change the regularly monthly meeting time of the Commission.

WHEREAS, Pursuant to Article V, Section A and Article VI of the Commission's Bylaws, the Commission is authorized to amend the provisions of the Bylaw from time to time; and

WHEREAS, The Commission desires to change its regular meeting time to make the meeting more convenient for each individual Commissioners; now, therefore, be it

RESOLVED, That Article V, Section A of the Bylaw is hereby amended to read as follows:

Regularly monthly meetings shall be held on the first Monday of each month, except in the case of City recognized holidays, when the meeting shall be held on the following Monday of that month. Meetings shall be held at City Hall, 1 Dr. Carlton B. Goodlett Place, Hearing Room 416, in the City and County of San Francisco, unless otherwise noticed by the Commission. Such regular meeting place and time may be changed from time to time by an amendment to the Section.

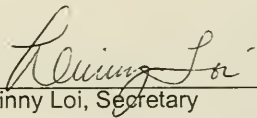
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CERTIFICATION OF SECRETARY

I hereby certify that I am the duly appointed Secretary of the Immigrant Rights Commission and that the above Resolution "Amending the Bylaw changing the Commission Regular Meeting Time" was duly adopted and approved by the Immigrant Rights commission at a properly noticed special meeting on March 5, 2001.



Winny Loi, Secretary



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

See amended

Fax 3/26/01

Notice of Meeting and Agenda

DOCUMENTS DEPT.

Date: April 2, 2001
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Conference Room 408
One Dr. Carlton B. Goodlett Place

MAR 27 2001

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AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (*Action Item*) (5 minutes)
(Explanatory Documents: Minutes of February meeting)*
- III. Public Comment (*Information Item*) (10 minutes)
- IV. Presentation (*Information Item*) (15 minutes)
Hon. Sione Teisina Fuko, Member of Parliament, Kingdom of Tonga
Mr. Fuko will discuss pending legislation before the Tongan Parliament, which would allow Tongans to have dual citizenship. Currently Tongans who gain US citizenship lose their Tongan Citizenship and all rights and property in Tonga. Allowing dual citizenship would allow Tongan immigrants to the US to gain all the benefits of citizenship in the US without losing their rights in their homeland.
- V. Future Activity (*Action Item*) (15 minutes)
Proposed Workplan and Budget for FY 2001-2002
(Explanatory Documents: Draft workplan and budget)*
- VI. Director's Report (10 minutes)
- VII. New Commissioners (10 minutes)
Pending the approval of Board of Supervisors: Emi Gusukuma, Vera Haile, Jeffrey A. Chen, Vram Kouramajian & Phu Nguyen
- VIII. Commission Membership: (15 minutes)
Nomination process for the new Commissioners.
- IX. Language Access Ordinance (10 minutes)
Supervisor Mark Leno proposes ordinance to make city services more accessible to immigrants.
- X. Next Steps (*Action Item*) (20 minutes)
Meeting with the new members of the Board of Supervisors and the Mayor
The Commission submits to the new Board of Supervisors and the Mayor the Annual Report.
- XI. Next Meeting's Agenda (*Discussion Item*) (10 minutes)
- XII. Adjournment

City Hall, Room 362, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102
TEL (415) 554-4789; FAX (415) 554-6177

For questions about the meeting please contact Winny Loi at 554-4789

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapters 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, please contact:

Donna Hall, Clerk
Sunshine Ordinance Task Force
City Hall – Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
(415) 554-7724 (Office)
(415) 554-5163 (Fax)
E-mail: donna_hall@ci.sf.ca.us

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

* Copies of explanatory documents are available to the public on the Commission's webpage: www.ci.sf.ca.us/immigrant/meeting.html; or, upon request to the Commission Secretary, at the above address or phone number.

DISABILITY ACCESS

The Immigrant Rights Commission meeting will be held in Room 416 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco.

The meeting location is between Grove and McAllister Streets and is wheelchair accessible. The closest BART and Muni Metro Station is Civic Center, about three blocks from the meeting location. Accessible Muni lines nearest the meeting location are:

42 Downtown Loop
49 Van Ness-Mission
F-Market & Muni Metro (Civic Center Station)

For more information about Muni accessible services call (415) 923-6142.

There is accessible on-street parking available in the vicinity of the meeting location.

For assistance with special needs (large print agendas, sign language interpreters, etc.) call Dang Pham at (415) 554-7583.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that others may be sensitive to various chemical based products. Please help the City accommodate these individuals.

LOBBYIST ORDINANCE

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (Administrative Code Section 16.520-534) to register and report lobbying activity.

For more information about the Lobbyist Ordinance, contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, (415) 554-9510, FAX (415) 703-1021, or visit their web site at <http://www.ci.sf.ca.us/ethics>

Member, Board of Supervisors



MARK LENO

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City and County of San Francisco

MAR 27 2001

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FOR IMMEDIATE RELEASE
Monday, March 5, 2000

Contact: Nathan Purkiss
(415) 554-7737

SUPERVISOR MARK LENO PROPOSES ORDINANCE TO MAKE CITY SERVICES MORE ACCESSIBLE TO IMMIGRANTS

San Francisco, CA – Supervisor Mark Leno today will introduce a citywide law, called the Equal Access to Services Ordinance, which will dramatically improve San Francisco's services to city residents who are not fluent in English.

According to a 1999 survey conducted by the U.S. Census Bureau, one in four San Franciscans over the age of 5 are limited English proficient, or do not speak English well. And almost half speak a language other than English at home. Many of these individuals are recent immigrants, who are learning to speak and read English. If adopted, Supervisor Leno's ordinance would be the first of its kind to be enacted by a local government in California.

"We must make sure that city services are accessible to all communities and that the government is accountable to all our residents, and this ordinance will assist the City in complying with State and Federal law to do just that," said Supervisor Leno.

Currently state and federal laws already require agencies to make their programs and services accessible to people with limited English skills. The proposed Equal Access to Services Ordinance would ensure that the city departments implement these requirements in a consistent manner by requiring city departments to translate vital government documents when 10,000 or more city residents or more than 5 percent of a department's customers do not speak English well and share a common language. According to 1990 Census results, the only languages that would fall under this category citywide would be Spanish and Chinese.

Community advocates have long recognized the barriers non-English speaking San Franciscans face in accessing government services, and applaud Supervisor Leno's leadership on this critical issue. "The inability of people to communicate with government agencies can deprive them of health care, social services, and the resources needed to avoid or leave welfare," said Theodore Wang, Policy Director of Chinese for Affirmative Action.

"Many forms and applications are hard enough to understand when you are fluent in English - Imagine what it is like for individuals who cannot speak English well," added Donya Fernandez, attorney at the Employment Law Center who is supporting the ordinance.

The Equal Access to Services Ordinance is also supported by the following organizations: *Chinese for Affirmative Action*, *La Raza Centro Legal, Inc.*, the *Lawyer's Committee for Civil Rights of the San Francisco Bay Area*, and *Legal Aid Society of San Francisco – Employment Law Center*.

MAR 27 2001

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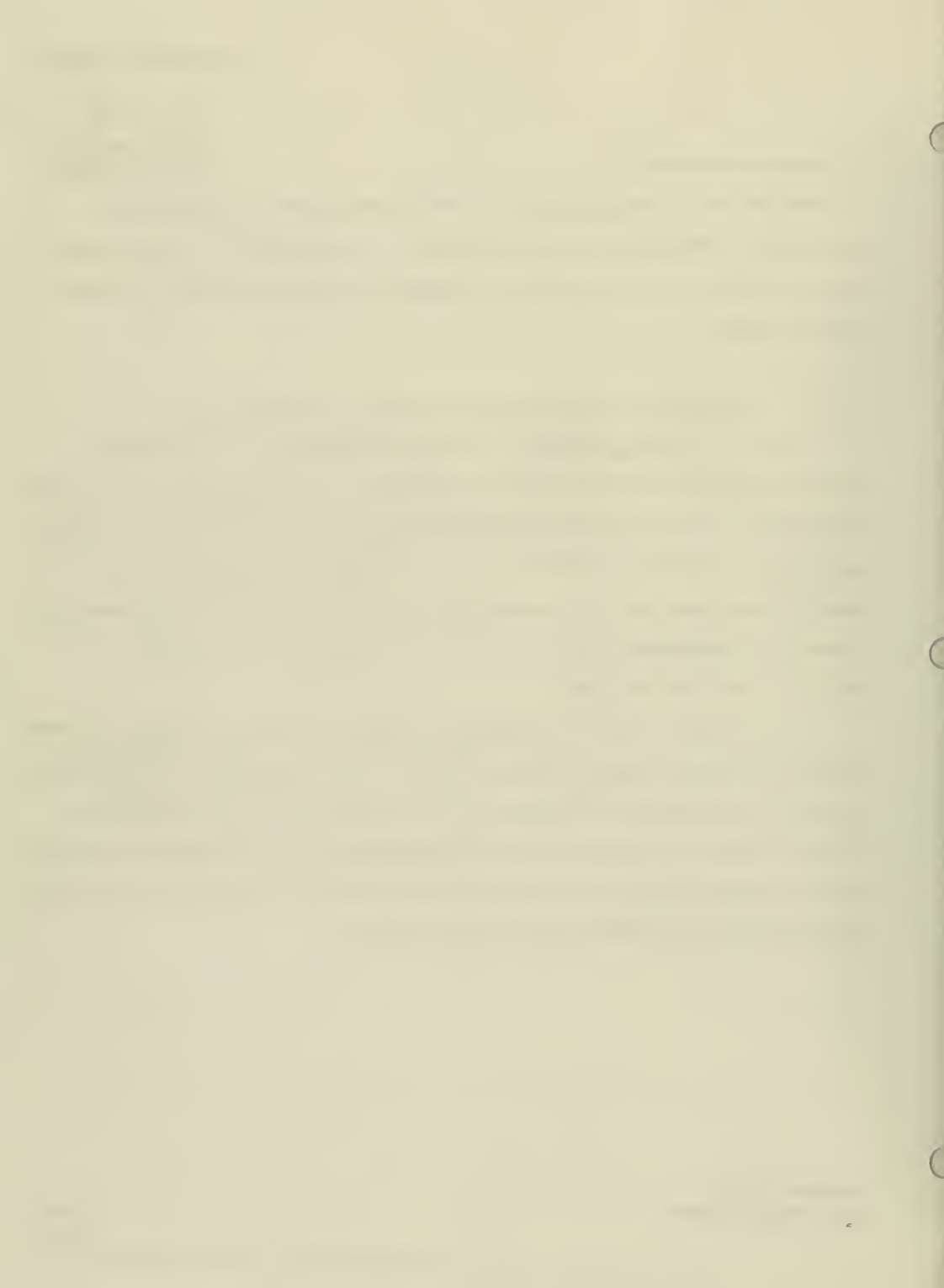
[Equal Access to Services]

amending the san francisco administrative code by adding chapter 89 to require city departments to offer bilingual services and materials if a substantial or concentrated portion of the public utilizing their services does not speak english effectively because it is not their primary language.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings and Purpose. The Board of Supervisors hereby finds and declares that substantial numbers of persons who live, work, and pay taxes in San Francisco are unable to communicate effectively with city departments because their primary language is not English. The Board further finds and declares that city employees are frequently unable to communicate with persons requiring their services because of this language barrier. Consequently, substantial numbers of San Franciscans are denied rights, benefits, and services to which they are entitled.

This Ordinance makes it the policy of the City and County of San Francisco to provide equal access to city services to all San Franciscans, including those with limited proficiency in English. This Ordinance also implements and supplements California's Dymally-Alatorre Bilingual Services Act, Government Code §7290 et seq., which requires state and local public agencies serving a substantial number of limited English-speaking people to provide services and materials in the language(s) spoken by those persons.



Section 2. The San Francisco Administrative Code is hereby amended by adding Chapter 89, to read as follows:

CHAPTER 89

EQUAL ACCESS TO SERVICES

Sec. 89.1	Title
Sec. 89.2	Definitions
Sec. 89.3	Equal Access to Services
Sec. 89.4	Translation of Materials
Sec. 89.5	Dissemination of Translated Materials from the State and Federal Government
Sec. 89.6	Public Meetings and Hearings
Sec. 89.7	Recorded Telephonic Messages
Sec. 89.8	Complaint Procedure
Sec. 89.9	Compliance Plans
Sec. 89.10	Recruitment
Sec. 89.11	Commission Responsibilities
Sec. 89.12	Rules and Regulations
Sec.	
89.13	Enforcement
Sec. 89.14	Severability

SEC. 89.1. TITLE. This chapter shall be known as the "Equal Access to Services Ordinance."

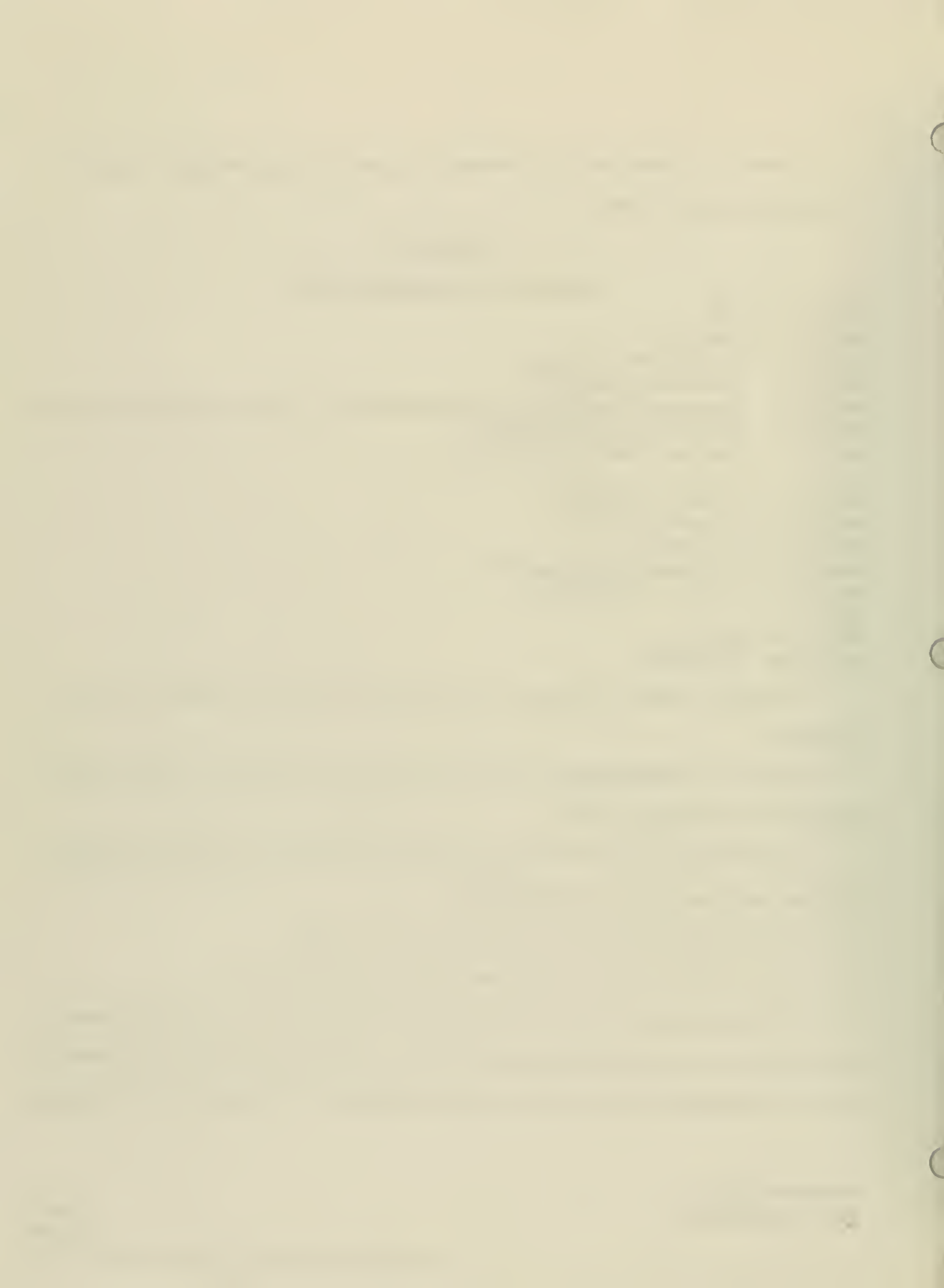
SEC. 89.2. DEFINITIONS. As used in this Chapter, the following capitalized terms shall have the following meanings:

(a) "Bilingual Employee" shall mean a City employee who is proficient in the English language and a language other than English.

(b) "City" shall mean the City and County of San Francisco.

(c) "Commission" shall mean the Immigrant Rights Commission.

(d) "Concentrated Number of Limited English Speaking Persons" shall mean either 5 percent of the population of the District in which a Covered Department Facility is located or 5 percent of those persons who use the services provided by the Covered Department Facility.



The Planning Department shall determine annually whether 5 percent or more of the population of any District in which a Covered Department Facility is located speaks a language other than English. The Planning Department shall make this determination by referring to the best available data from the United States Census Bureau or another reliable source and shall certify its determination to all City Departments and the Commission no later than December 1 of each year. Each Department shall determine annually whether 5 percent or more of those persons who use the Department's services at a Covered Department Facility speaks a language other than English using either of the following methods specified in Section 89.2(j) of this Article.

(e) "Covered Department Facility" shall mean any Department building, office, or location that provides direct services to the public and serves as the workplace for 5 or more full-time City employees.

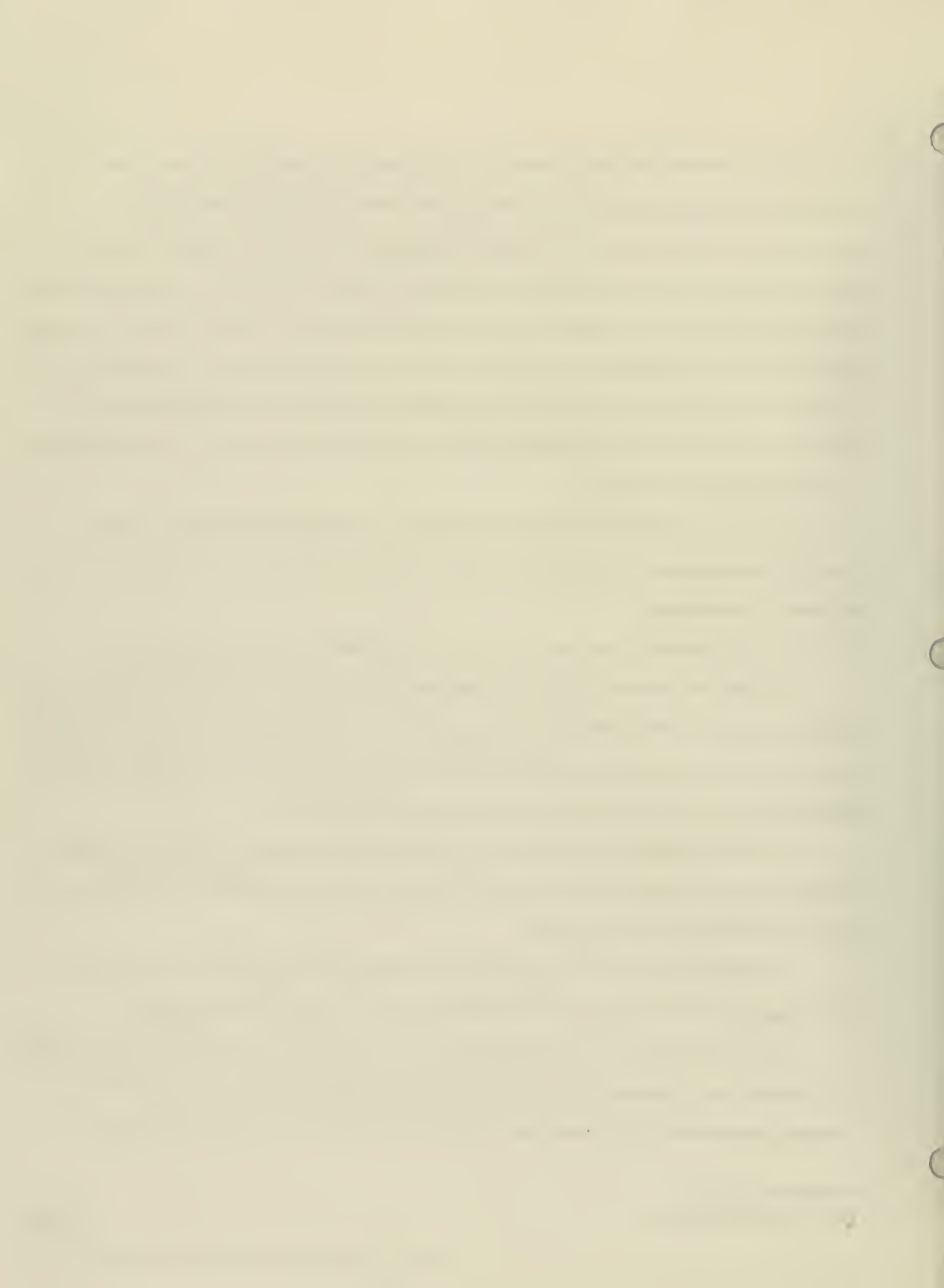
(f) "Departments" shall mean both Tier 1 Departments and Tier 2 Departments.

(g) "Districts" shall refer to the 11 geographical districts by which the people of the City elect the members of the City's Board of Supervisors. If the City should abandon the district election system, the Commission shall have the authority to draw district boundaries for the purposes of this Article that are approximately equal in population.

(h) "Limited English Speaking Person" shall mean an individual who does not speak English well or is otherwise unable to communicate effectively in English because English is not the individual's primary language.

(i) "Public Contact Position" shall mean a position that involves the ability to meet, contact, and deal with the public in the performance of the duties of that position.

(j) "Substantial Number of Limited English Speaking Persons" shall mean either 10,000 City residents, or 5 percent of those persons who use the Department's services. The Planning Department shall determine annually whether at least 10,000 limited English



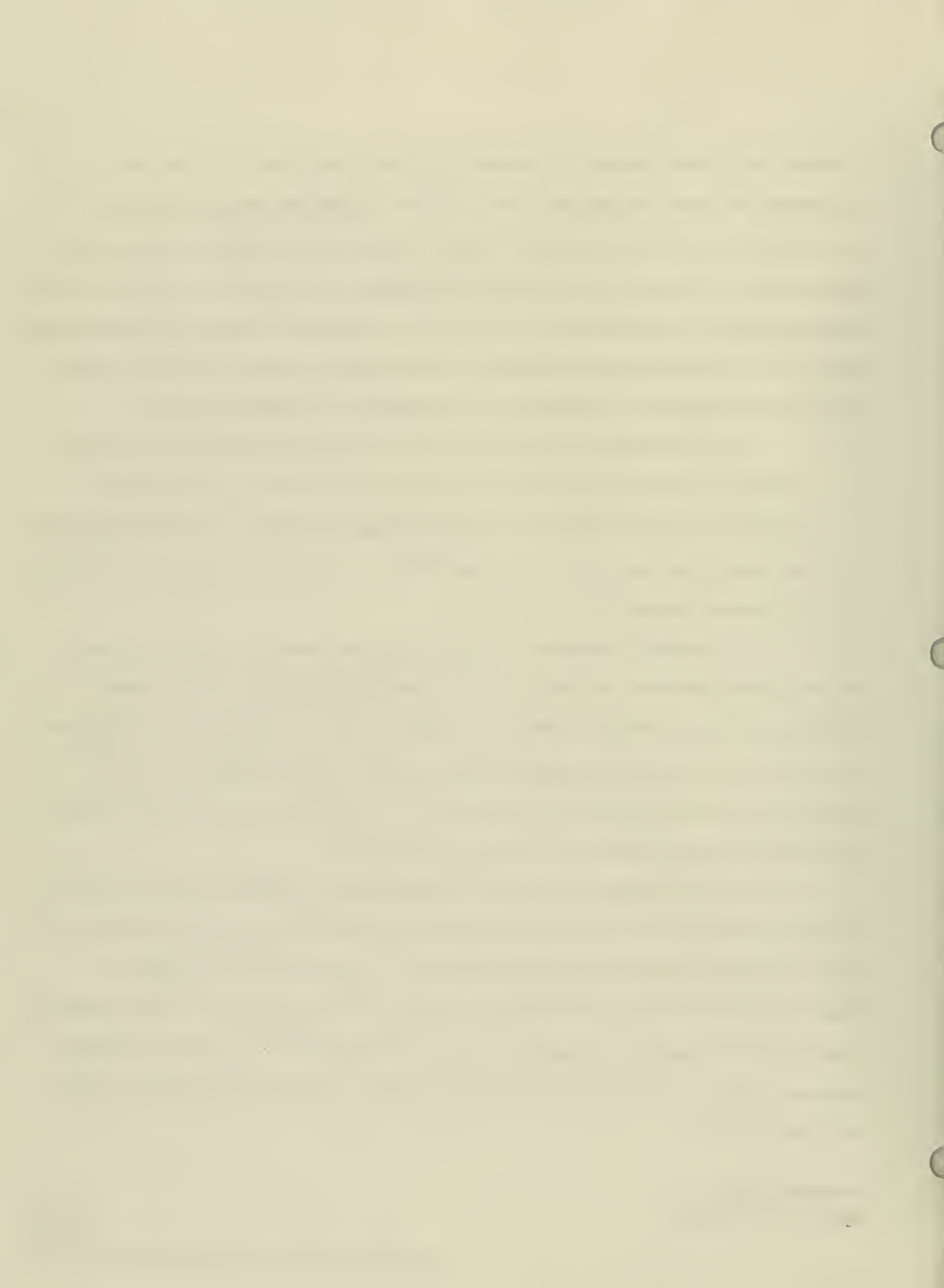
speaking City residents speak a shared language other than English. The Planning Department shall make this determination by referring to the best available data from the United States Census Bureau or another reliable source and shall certify its determination to Departments and the Commission no later than December 1 of each year. Each Department shall determine annually whether 5 percent or more of those limited English speaking persons who use the Department's services citywide speaks a shared language other than English. Departments shall make this determination using either of the following methods:

(1) conducting an annual survey of all contacts with the public made by the Department during a period of at least two weeks, at a time of year in which the Department's public contacts are to the extent possible typical or representative of its contacts during the rest of the year, but before developing its annual compliance plan required by Section 89.9 of this Article; or

(2) analyzing information collected during the Department's intake process.

The information gathered using either method shall also be broken down by Covered Department Facility to determine whether 5 percent or more of those persons who use the Department's services at a Covered Department Facility speaks a language other than English for purposes of Section 89.2(d) of this Article. Departments may not use any other method unless approved prior to its use by the Commission.

(k) "Tier 1 Departments" shall mean the following City departments: Adult Probation Department, Department of Consumer Assurance; Department of Elections, Department of Human Services, Department of Parking and Traffic, Department of Public Health, Department of Public Transportation, District Attorney's Office, Emergency Communications Department, Fire Department, Juvenile Probation Department, Police Department, Public Defender's Office, Public Administrator/Guardian, Rent Stabilization and Arbitration Board, and Sheriff's Office.



(l) "Tier 2 Departments" shall mean all City departments not specified as Tier 1 Departments that furnish information or provide services directly to the public and consist of at least 30 full-time City employees.

SEC. 89.3. Equal Access to Services. (a) Utilizing sufficient Bilingual Employees in Public Contact Positions, Departments shall provide information and services to the public in each language spoken by a Substantial Number of Limited English Speaking Persons or a Concentrated Number of Limited English Speaking Persons. Departments comply with their obligations under this Section if they provide the same level of service to Limited English Speaking Persons as they provide English speakers.

(b) Nothing herein shall be construed to authorize the dismissal of any City employee in order to carry out this Ordinance.

(c) This Article shall be interpreted and applied so as to be consistent with Title VII of the Civil Rights Act of 1964, California's Fair Employment and Housing Act, and Article X of the San Francisco Charter and so as not to impede or impair the City's obligations to comply with any court order or consent decree.

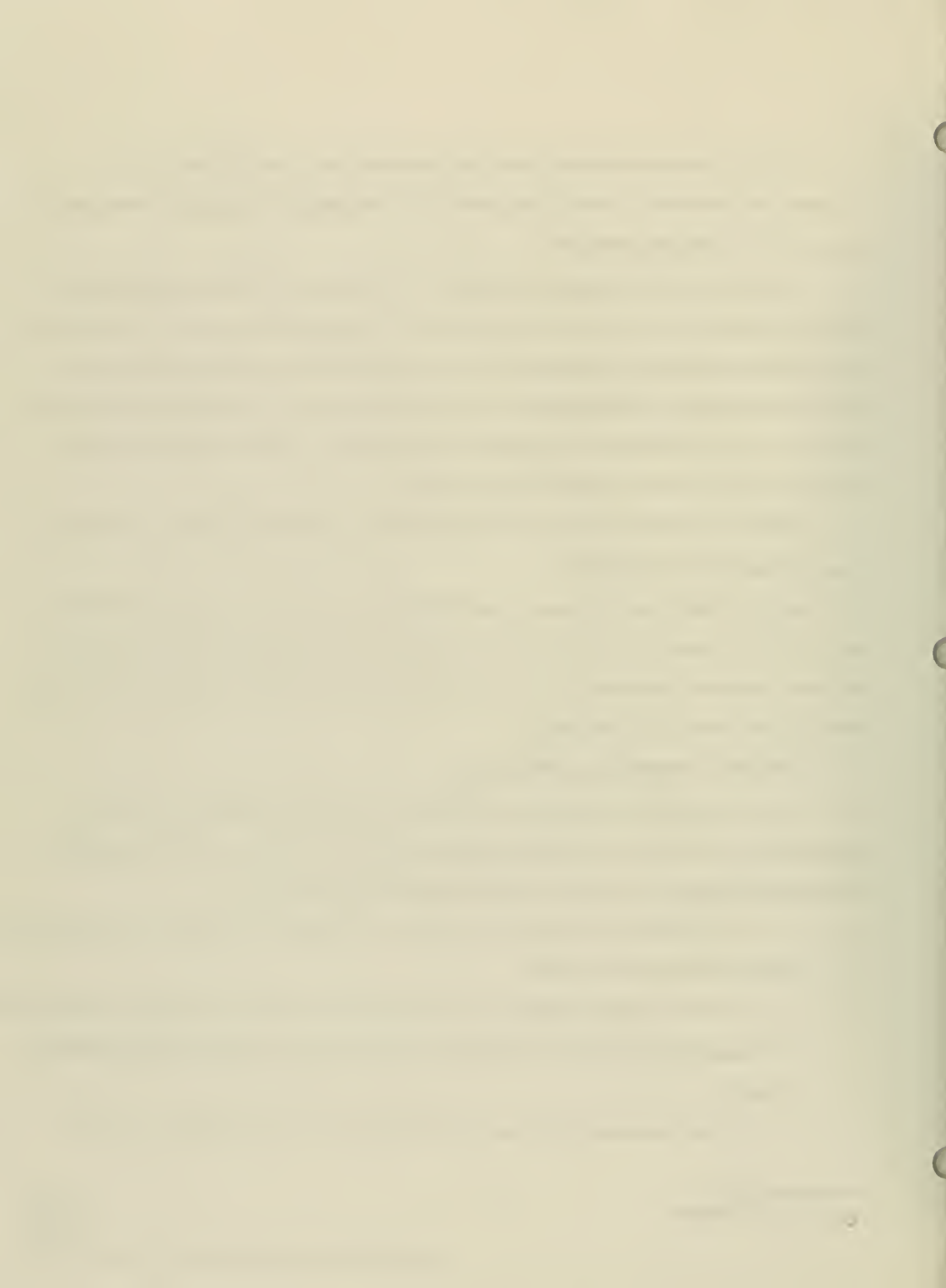
SEC. 89.4. Translation of Materials.

Tier 1 Departments shall translate the following written materials that provide vital information to the public about the Department's services or programs into the language(s) spoken by a Substantial Number of Limited English Speaking Persons:

(1) applications or forms to participate in a Department's program or activity or to receive its benefits or services;

(2) written notices of rights to, determination of eligibility of, award of, denial of, loss of, or decreases in benefits or services, including the right to appeal any Department's decision;

(3) written tests that do not assess English language competency, but test



competency for a particular license or skill for which knowledge of written English is not required;

(4) notices advising limited English-proficient persons of free language assistance;

(5) materials explaining a Department's services or programs;

(6) complaint forms; or

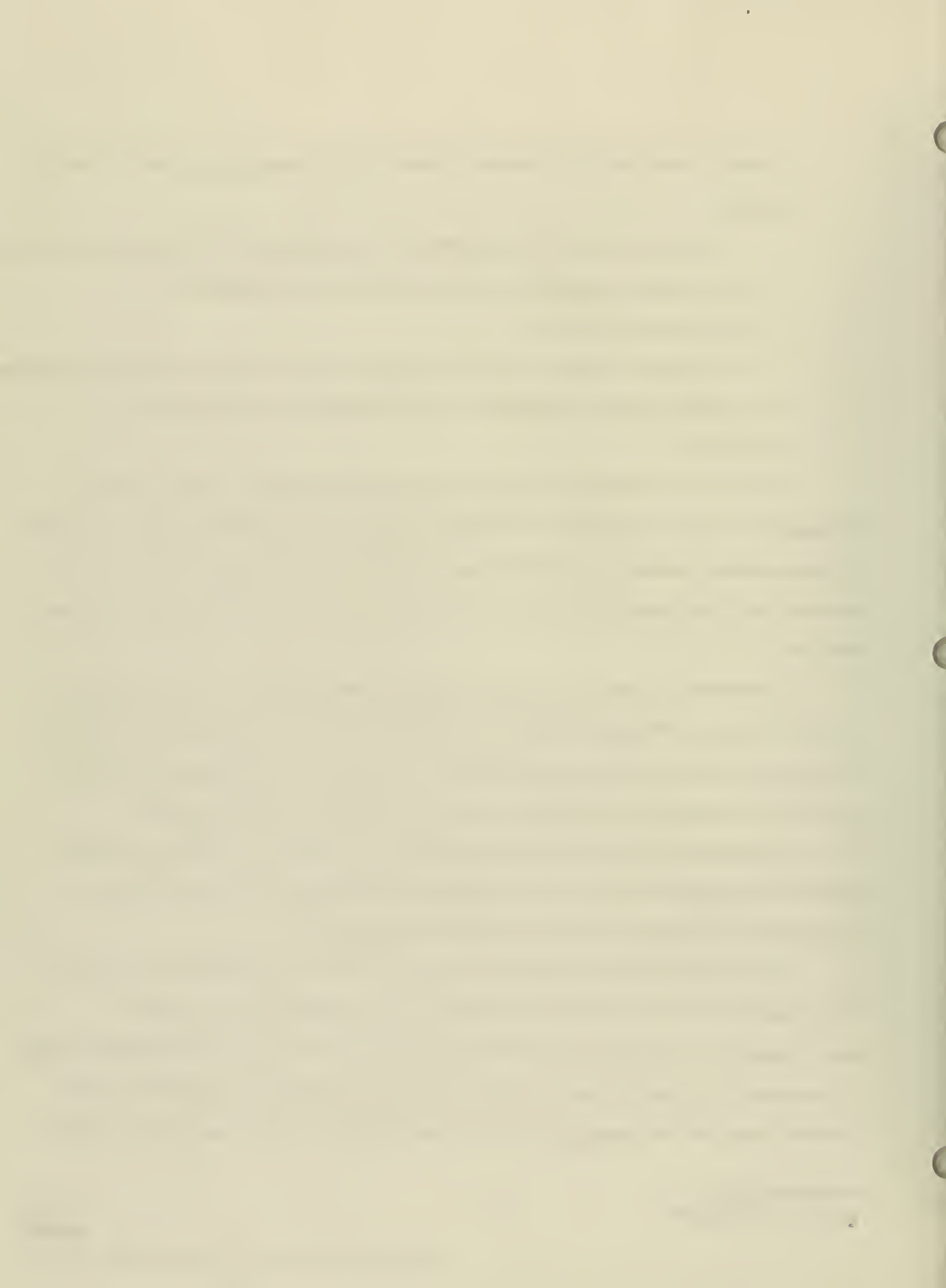
(7) any other written documents that have the potential for important consequences for an individual seeking services from or participating in a program of a city department.

(b) Tier 2 Departments shall translate all publicly-posted documents that provide information (1) regarding Department services or programs, or (2) affecting a person's rights to, determination of eligibility of, award of, denial of, loss of, or decreases in benefits or services into the language(s) spoken by a Substantial Number of Limited English Speaking Persons.

(c) Departments required to translate materials under the provisions of this Section shall post notices in the public areas of their facilities in the relevant language(s) indicating that written materials in the language(s) and staff who speak the language(s) are available. The notices shall be posted prominently and shall be readily visible to the public.

(d) Departments required to translate materials under the provisions of this Section shall ensure that their translations are accurate and appropriate for the target audience. Translations should match literacy levels of the target audience.

(e) Each Department shall designate a staff member with responsibility for ensuring that all translations of the Department's written materials meet the accuracy and appropriateness standard set in Subsection (d) of this Section. Departments are encouraged to have their staff check the quality of written translations, but where a Department lacks biliterate personnel, the responsible staff member shall obtain quality checks from external



translators. Departments are also encouraged to solicit feedback on the accuracy and appropriateness of translations from bilingual staff at community groups whose clients receive services from the Department.

(f) Departments shall comply with the requirements of this Section within one year of the enactment of this Article.

SEC. 89.5. Dissemination of Translated Materials from the State and Federal Government. If the State or federal government or any agency thereof makes available to a Department written materials in a language other than English, the Department shall maintain an adequate stock of the translated materials and shall make them readily available to persons who use the Department's services.

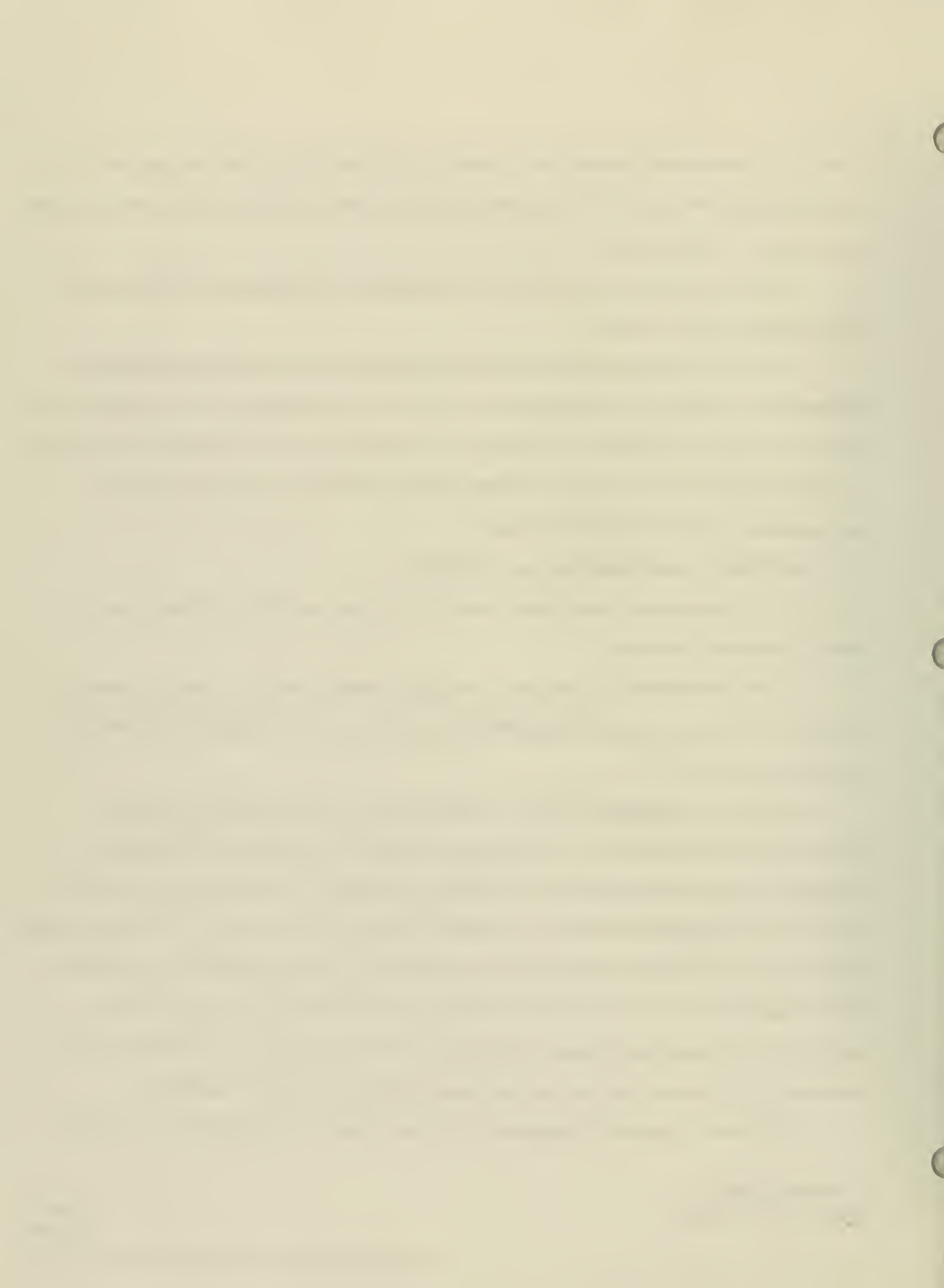
SEC. 89.6. Public Meetings and Hearings

(a) City Commissions and Departments shall not be required to translate meeting notices, agendas, or minutes.

(b) Oral interpretation of any public meeting or hearing held by a City Commission or Department shall be provided if requested at least 48 hours in advance of the meeting or hearing in question.

SEC. 89.7. Recorded Telephonic Messages. All Departments with recorded telephonic messages about the Department's operation or services shall maintain such messages in each language spoken by a Substantial Number of Limited English Speaking Persons or a Concentrated Number of Limited English Speaking Persons. Such Departments are encouraged to include in the telephonic messages information about business hours, office location(s), services offered and the means of accessing such services, and the availability of language assistance. If the Department is governed by a commission, the messages shall include the time, date, and place of the commission's meetings.

SEC. 89.8. Complaint Procedure. (a) Departments shall allow persons to make



complaints alleging violation of this Article to the Department in each language spoken by a Substantial Number of Limited English Speaking Persons. The complaints may be made by telephone or by completing a complaint form.

(b) Departments shall document actions taken to resolve each complaint and maintain copies of complaints and documentation of their resolution for a period of not less than 5 years. A copy of each complaint shall be forwarded to the Commission within 30 days of its receipt.

SEC. 89.9. Compliance Plans. (a) Each Department shall draft and file with the Commission an annual compliance plan. Each Department shall file its first plan within 90 days of the enactment of this Article to assess what actions the Department needs to take to come into compliance. Thereafter, each Department shall file a plan by February 1 of each year.

(b) Each plan filed by a Department shall contain the following information:

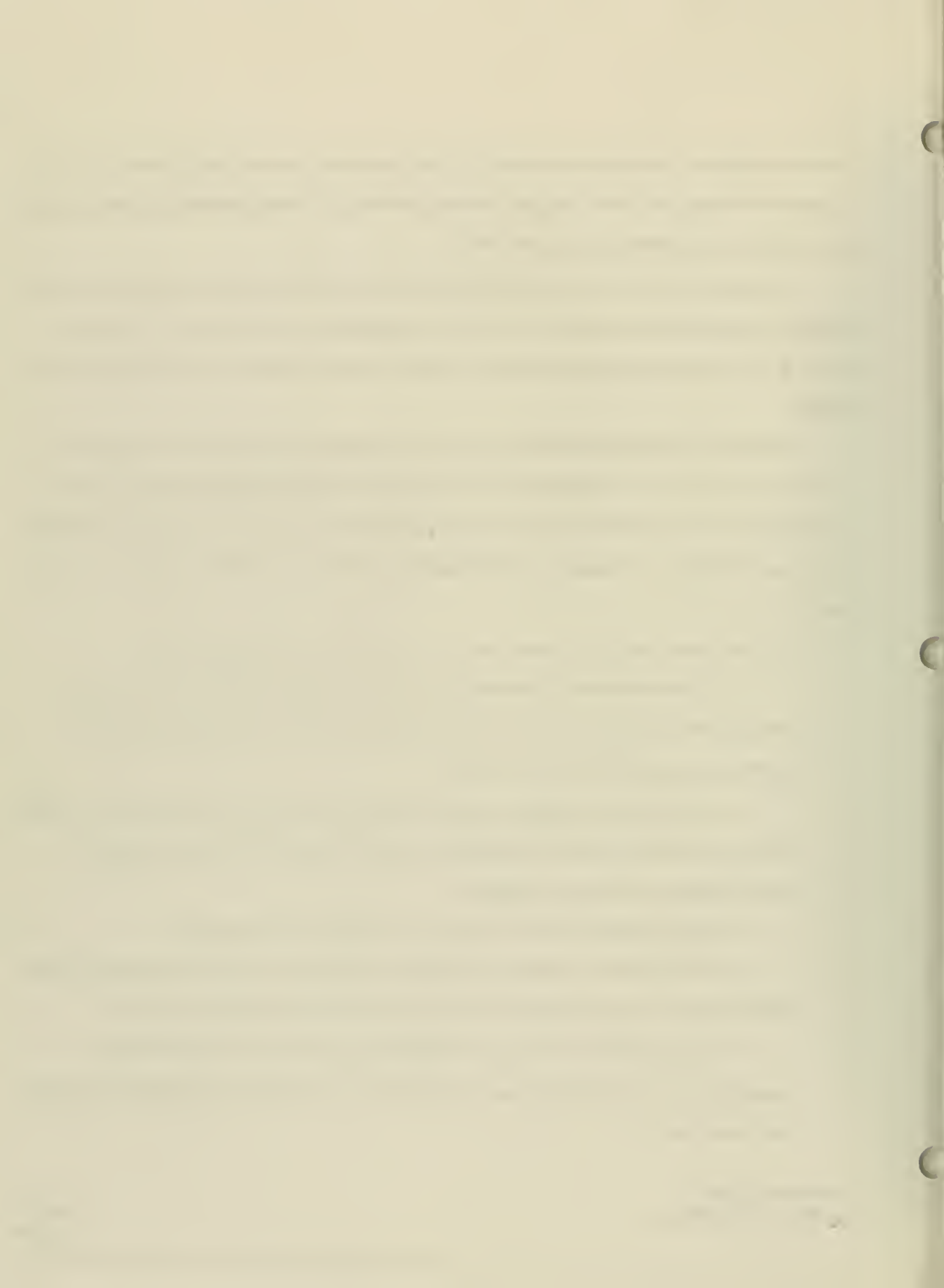
(1) The number and percentage of Limited English Speaking Persons who actually use the Department's services, disaggregated by language, using either method in Section 89.2(d) of this Article;

(2) A list of the languages spoken by 5 percent or more of the residents of each District in which a Covered Department Facility is located and the percentage of residents who speak each language;

(3) The number of Public Contact Positions in the Department;

(4) The number of Bilingual Employees in Public Contact Positions, their titles, office locations, the language(s) other than English that the persons speak,

(5) A description of any use of telephone-based interpretation services, including the number of times such services were used and the language(s) for which they were used;



(6) A narrative assessment of the procedures used to facilitate communication with Limited English Speaking Persons, which shall include an assessment of the adequacy of the procedures;

(7) A numerical assessment of the additional Bilingual Employees in Public Contact Positions needed to meet the requirements of Section 89.3 of this Article;

(8) If assessments indicate a need for additional Bilingual Employees in Public Contact Positions to meet the requirements of Section 89.3 of this Article, a description of the Department's plan for filling the positions, including the number of estimated vacancies in Public Contact Positions;

(9) The name, title, and language(s) other than English spoken (if any) by the staff member designated with responsibility for ensuring the accuracy and appropriateness of translations for each language in which services must be provided under this Article;

(10) A list of the Department's written materials required to be translated under this Article, the language(s) into which they have been translated, and the persons who have reviewed the translated material for accuracy and appropriateness;

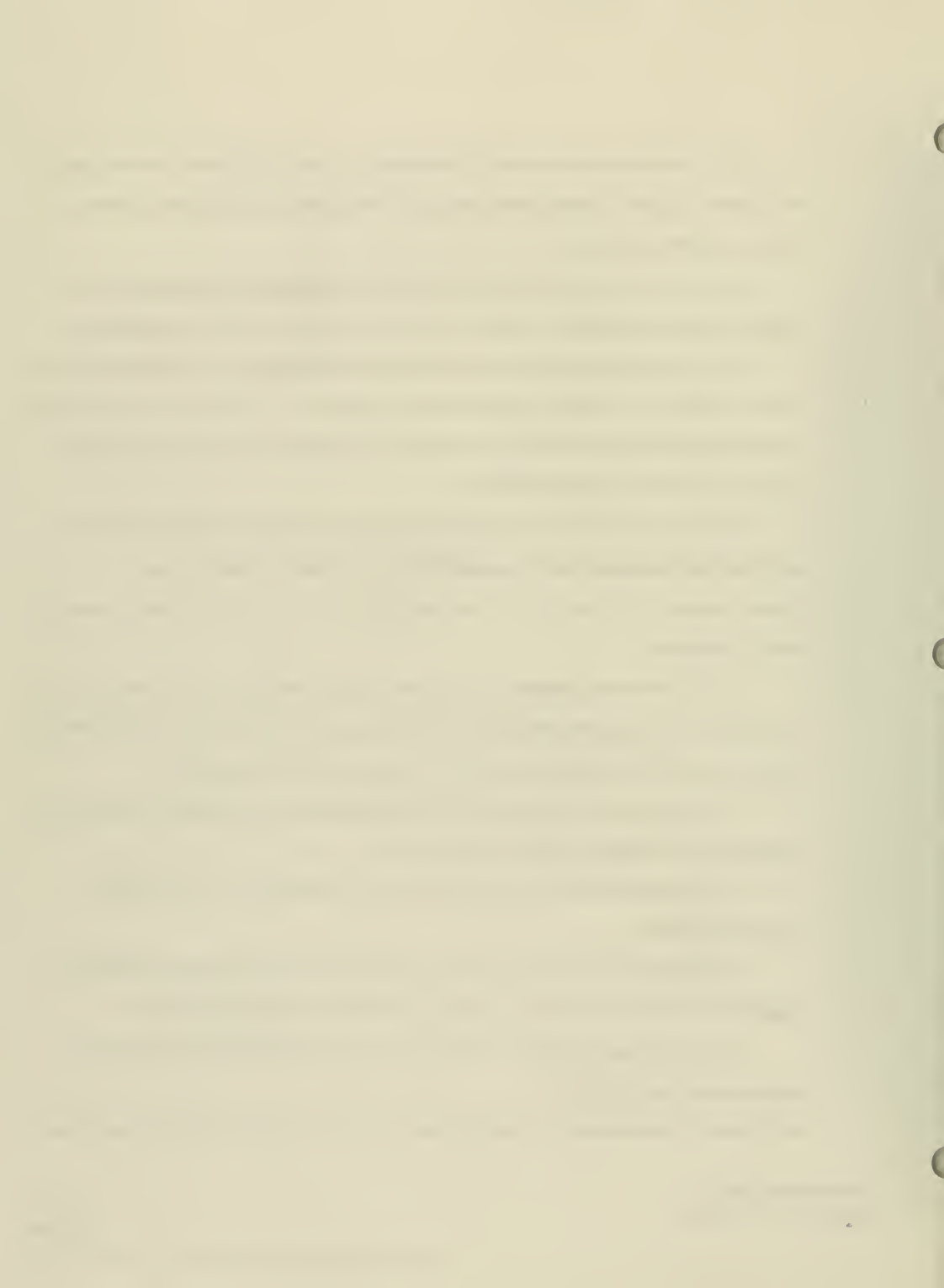
(11) A description of the Department's procedures for accepting and resolving complaints of an alleged violation of this Article;

(12) A copy of the written policies on providing services to Limited English Speaking Persons;

(13) A list of goals for the upcoming year and, for all plans except the first, an assessment of the Department's success at meeting last year's goals; and

(14) Any other information requested by the Commission necessary for the implementation of this Article.

SEC. 89.10. Recruitment. It shall be the policy of the City to publicize job openings

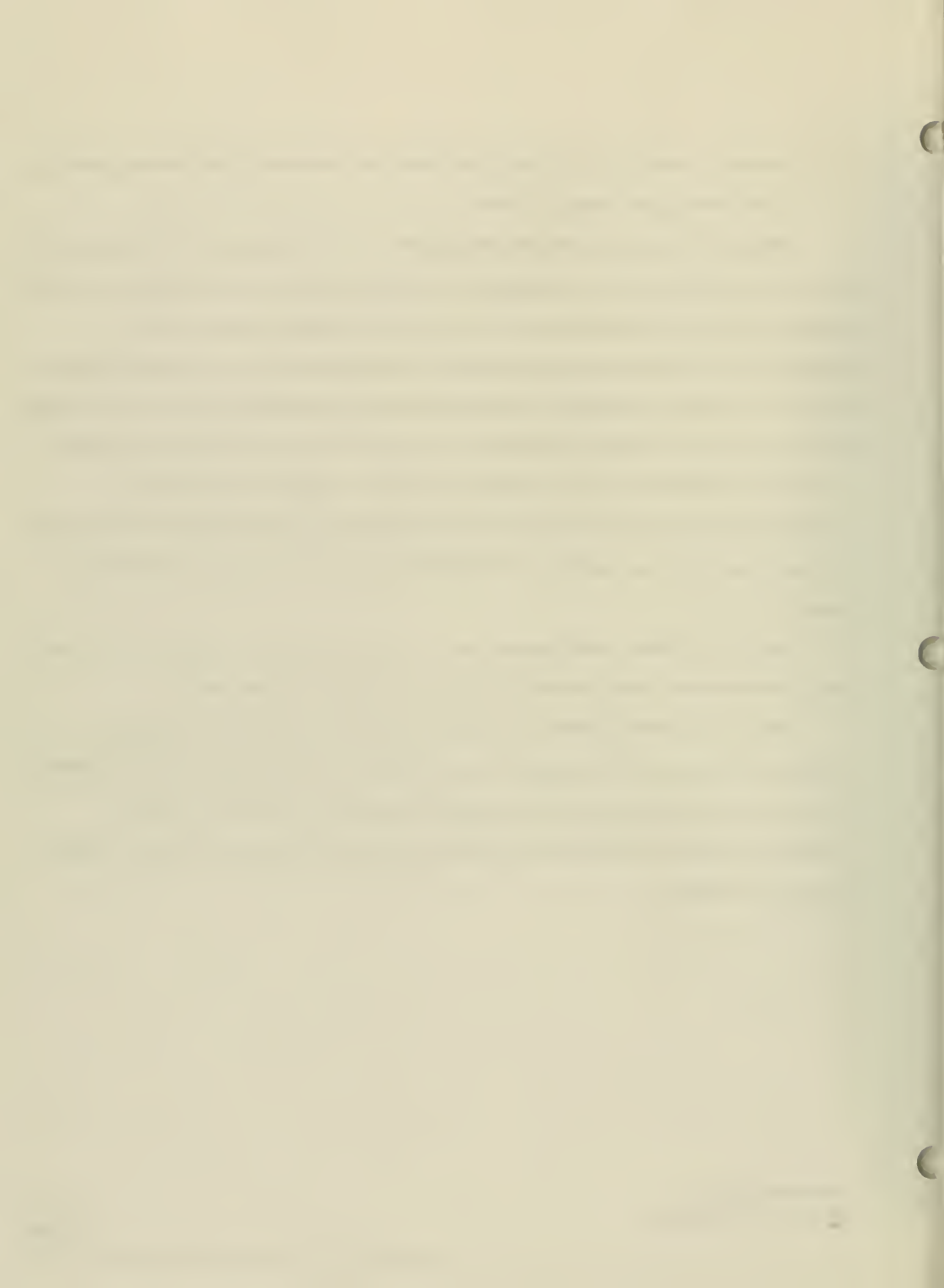


for Departments' Public Contact Positions as widely as possible including, but not limited to, in ethnic and non-English language media.

SEC. 89.11. Commission Responsibilities. The Commission shall be responsible for monitoring and facilitating compliance with this Article. Its duties shall include: conducting outreach to Limited English Speaking Persons about their rights under this Article, establishing and implementing a procedure to accept and investigate complaints alleging a violation of this Article; reviewing complaints about alleged violations of this Article forwarded from Departments; working with Departments to resolve complaints; maintaining copies of complaints and their resolution for not less than 8 years, organized by department; coordinating a language bank for Departments that choose to have translation done outside the Department and need assistance in obtaining translators; and reviewing compliance plans.

SEC. 89.12. Rules and Regulations. In order to effectuate the terms of this Article, the Commission may adopt rules and regulations consistent with this Article.

SEC. 89.13. Enforcement. If after an investigation and attempt to resolve an incidence of Department non-compliance, the Commission is unable to resolve the matter, it shall transmit a written finding of non-compliance, specifying the nature of the non-compliance, to the Department, the Department of Human Resources, the Mayor, and the Board of Supervisors.



SEC. 89.14. Severability. If any of the provisions of this Article or the application thereof to any person or circumstance is held invalid, the remainder of this Article, including the application of such part or provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Article are severable.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By:

Deputy City Attorney



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION DOCUMENTS DEPT.

Amended Notice of Meeting and Agenda

APR - 2 2001

Date: April 2, 2001
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Conference Room 408
One Dr. Carlton B. Goodlett Place

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AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (*Action Item*) (5 minutes)
(Explanatory Documents: Minutes of February meeting)*
- III. Public Comment (*Information Item*) (10 minutes)
- IV. Presentation (*Information Item*) (15 minutes)
Hon. Sione Teisina Fuko, Member of Parliament, Kingdom of Tonga
Mr. Fuko will discuss pending legislation before the Tongan Parliament, which would allow Tongans to have dual citizenship. Currently Tongans who gain US citizenship lose their Tongan Citizenship and all rights and property in Tonga. Allowing dual citizenship would allow Tongan immigrants to the US to gain all the benefits of citizenship in the US without losing their rights in their homeland.
- V. Future Activity (*Action Item*) (15 minutes)
 1. Proposed Workplan and Budget for FY 2001-2002
(Explanatory Documents: Draft workplan and budget)*
 2. Resolution to support AB 989 to make State Food Assistant Program & Cash Assistant Program for Immigrants available to all legal Immigrants regardless of date of entry.
(Explanatory Documents)
- VI. The Director will report on the activity & operations of the Commission (45 minutes)
 1. Immigrant Day 2001
 2. Approval of New Commissioner by Board of Supervisors
 3. Status of Commissioner Membership
 4. Status of Language Access Ordinance
- VII. Next Steps (*Action Item*) (20 minutes)
Meeting with the new members of the Board of Supervisors and the Mayor
The Commission submits to the new Board of Supervisors and the Mayor the Annual Report.
- VIII. Next Meeting's Agenda (*Discussion Item*) (10 minutes)
- IX. Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapters 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, please contact:

Donna Hall, Clerk
Sunshine Ordinance Task Force
City Hall – Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
(415) 554-7724 (Office)
(415) 554-5163 (Fax)
E-mail: donna_hall@ci.sf.ca.us

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

* Copies of explanatory documents are available to the public on the Commission's webpage:
www.ci.sf.ca.us/immigrant/meeting.html; or, upon request to the Commission Secretary, at the above address or phone number.

DISABILITY ACCESS

The Immigrant Rights Commission meeting will be held in Room 416 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco.

The meeting location is between Grove and McAllister Streets and is wheelchair accessible. The closest BART and Muni Metro Station is Civic Center, about three blocks from the meeting location. Accessible Muni lines nearest the meeting location are:

42 Downtown Loop
49 Van Ness-Mission
F-Market & Muni Metro (Civic Center Station)

For more information about Muni accessible services call (415) 923-6142.

There is accessible on-street parking available in the vicinity of the meeting location.

For assistance with special needs (large print agendas, sign language interpreters, etc.) call Dang Pham at (415) 554-7583.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that others may be sensitive to various chemical based products. Please help the City accommodate these individuals.

LOBBYIST ORDINANCE

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (Administrative Code Section 16.520-534) to register and report lobbying activity.

For more information about the Lobbyist Ordinance, contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, (415) 554-9510, FAX (415) 703-1021, or visit their web site at <http://www.ci.sf.ca.us/ethics>



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Immigrant Rights Commission

April 02, 2001(Cancelled)



Notice of Cancelled Meeting

Notice is hereby given that the monthly meeting of the immigrant rights commission of the City and County of San Francisco scheduled for Monday, April 2, 2001 at 5:00 P.M., has been cancelled.

The next meeting will be held on Monday, April 16, 2001 at 5:00 P.M. in the Hearing Room 403.

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CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

Notice of Meeting and Agenda

DOCUMENTS DEPT.

Date: April 16, 2001
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Conference Room 408
One Dr. Carlton B. Goodlett Place

APR 18 2001

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AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (*Action Item*) (5 minutes)
(Explanatory Documents: Minutes of February & March meeting)*
- III. Public Comment (*Information Item*) (10 minutes)
- IV. Future Activity (*Action Items*) (45 minutes)
 1. *Proposed Workplan and Budget for FY 2001-2002*
(Explanatory Documents: Draft workplan and budget)*
 2. *Resolution to support AB 989 to make State Food Assistant Program & Cash Assistant Program for Immigrants available to all legal Immigrants regardless of date of entry.* (Explanatory Documents)
 3. *Waiver of Bylaws (to elect for a new chair & vice chair)*
 4. *Dual Citizenship for Tongans (Action Item)*
Resolution to support Tongan dual citizenship
(Explanatory Documents)
- V. The Director will report on the activity & operations of the Commission (40 minutes)
 1. Immigrant Day 2001
 2. Approval of New Commissioner by Board of Supervisors
 3. Status of Commissioner Membership
 4. Status of Language Access Ordinance
- VI. Next Steps (*Action Item*) (10 minutes)
Meeting with the new members of the Board of Supervisors and the Mayor
The Commission submits to the new Board of Supervisors and the Mayor the Annual Report.
- VII. Next Meeting's Agenda (*Discussion Item*) (10 minutes)
- VIII. Adjournment

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FILE NO. 001189RESOLUTION NO. 244-01

1 [Appointment]

2
3 Resolution appointing Emi Gusukama, Vram Kourmajian, and Phu Nguyen, terms
4 expiring June 6, 2001, and Vera Haile and ~~Jeffrey Chen~~, terms expiring June 6, 2002, to
5 the Immigrant Rights Commission; waiving residency requirement.
6

7 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
8 does hereby appoint the hereinafter designated persons to serve as members of the
9 Immigrant Rights Commission, pursuant to the provisions of Ordinance No. 211-97, for the
10 term specified:

11 Vera Haile, succeeding Renato Ecarman, (Seat No. 1, must have demonstrated
12 knowledge of and interest in the health, human service, educational, or employment issues
13 that affect immigrants residing in San Francisco), for the unexpired portion of a two-year term
14 ending June 6, 2002;

15 ~~Jeffrey Chen, succeeding Mario Lorraine Mallaro, (Seat No. 2, must have~~
16 ~~demonstrated knowledge of and interest in the health, human service, educational, or~~
17 ~~employment issues that affect immigrants residing in San Francisco), for the unexpired portion~~
18 ~~of a two-year term ending June 6, 2002;~~

19 Emi Gusukama, succeeding Martin Schenker, (Seat No. 6, must be an immigrant to the
20 United States who is appointed in accordance with Section 4.101 of the Charter. In addition,
21 members shall have demonstrated knowledge of and interest in the health, human service,
22 educational, or employment issues that affect immigrants residing in San Francisco), for the
23 unexpired portion of a two-year term ending June 6, 2001;

24 Vram Kouramajian (residency requirement waived), succeeding Lee Sprague, (Seat
25 No. 7, must be an immigrant to the United States who is appointed in accordance with Section

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1 4.101 of the Charter. In addition, members shall have demonstrated knowledge of and
2 interest in the health, human service, educational, or employment issues that affect
3 immigrants residing in San Francisco), for the unexpired portion of a two-year term ending
4 June 6, 2001;

5 Phu Nguyen, succeeding Nam Thai, (Seat No. 8, must be an immigrant to the United
6 States who is appointed in accordance with Section 4.101 of the Charter. In addition,
7 members shall have demonstrated knowledge of and interest in the health, human service,
8 educational, or employment issues that affect immigrants residing in San Francisco), for the
9 unexpired portion of a two-year term ending June 6, 2001; and, be it

10 FURTHER RESOLVED, That the Board of Supervisors makes the following findings:

- 11 1. The membership of the Immigrant Rights Commission has a goal to be
12 representative of the diversity of the City and County of San Francisco.
- 13 2. Applicant Vram Kouramajian, a new appointee, who is not a resident of San
14 Francisco, is a person with experience that uniquely qualifies him/her to serve on
15 the Immigrant Rights Commission.
- 16 3. The Immigrant Rights Commission has attempted to fill the position, for which Vram
17 Kouramajian was nominated, with an individual who is a City resident and who has
18 the specific experience, skills, and qualifications, but has been unable to do so at
19 this time. The Rules Committee has certified that Vram Kouramajian is qualified to
20 serve on the Immigrant Rights Commission.
- 21 4. After exercising due diligence, the Board of Supervisors concludes that there is no
22 other possible representative, who is a resident of San Francisco and who has the
23 specific experience, skills, or qualifications possessed by this applicant, and who is
24 willing to serve on the Immigrant Rights Commission at this time; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors waives the residency
2 requirement for Vram Kouramajian, as allowed in cases where no qualified City resident,
3 willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires
4 person(s) appointed to boards, commissions, and advisory bodies established by legislative
5 act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.
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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 001189

Date Passed:

Resolution appointing Emi Gusukuma, Vram Kourmajian, and Phu Nguyen, terms expiring June 6, 2001, and Vera Halle, terms expiring June 6, 2002, to the Immigrant Rights Commission; waiving residency requirement.

March 26, 2001 Board of Supervisors — DIVIDED

March 26, 2001 Board of Supervisors — ADOPTED AS DIVIDED

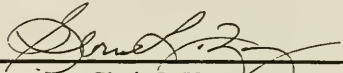
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval, Yee

File No. 001189

I hereby certify that the foregoing Resolution was ADOPTED AS DIVIDED on March 26, 2001 by the Board of Supervisors of the City and County of San Francisco.

APR 06 2001

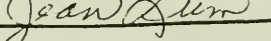
Date Approved


Gloria L. Young
Clerk of the Board


Mayor Willie L. Brown Jr.

The foregoing document is certified to be a full, true, and correct copy of the original on file.

Gloria L. Young, Clerk
Board of Supervisors
City and County of San Francisco

By: 
Date: APR - 6 2001

(Seal)

Immigrant Rights Commission
Minutes of Special Meeting on April 16, 2001

The Immigrant Rights Commission (IRC) special meeting was held on Monday, April 16, 2001 at San Francisco City Hall in Room 408, at 5:00 P.M.

Members Present Renee Saucedo, Samuel Assefa, Penelope Chronis, Isabel Huie, Philip Nguyen, Thou Ny, Richard Ow, Diana Lau, Emi Gusukama, Vram Kouramajian and Phu Nguyen. Samuel Assefa arrived at 5:10 and Penelope Chronis arrived at 5:12.

Members Absent Marie Lorraine Mallare, Vera Haile, Anita Friedman, Fidel Jimenez.

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Guest Present Richard Hobbs

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Others Present Dang Pham, Executive Director of the IRC
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

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Introduction: Commissioner Renee Saucedo welcomed & introduced the newly appointed Commissioners.
Vera Haile, succeeding Renato Ecarman, (Seat No. 1)
Emi Gusukama, succeeding Martin Schenker, (Seat No. 6)
Vram Kouramajian, succeeding Lee Sprague (Seat No. 7)
Phu Nguyen, succeeding Nam Thai (Seat No. 8)
Diana Lau, succeeding Natividad Ramirez (Seat No. 13)

Approval of

Minutes:

The minutes of February 12, 2001 and March 5, 2001 meeting was approved by the Commission.

Presentation:

Richard Hobbs, County of Santa Clara works with the Citizenship and Immigrant Services. He shared with the Commission, that in the last two years they did a through study of the needs of immigrants in Santa Clara County. There are six staff people to analyze the needs of immigrants. After doing research, out of the 24 focus groups, 16 focus groups have the largest immigrant nationalities. They came up with questionnaires translated into 14 languages and received feedback from 2,800. Their County sets up citizenship programs to help 15,000 people become citizens. The County gives \$250,000 a year for funding Legal Immigration Services.

Immigrant Building Communities, a form of participation action research, which allows 5 different immigrant groups to work together and participate on a regular basis to identify problems and solution. They came up with hundreds of recommendations on how to improve lives of immigrants. After doing the research, they have a proposal to the Board of Supervisors that they would like to establish an Immigrant Rights Commission on the status of immigrants in Santa Clara. Through the years, Human Relations Commission deals with a lot of immigrant issues, but it's important to have a Commission that deals with immigrant issues directly and not partly. He came to the Immigrant Rights Commission meeting to learn about how we operate, function & deal with issues pertaining to immigrants.

Action Items: Consideration of the Workplan and Budget for FY 2002

Commissioner Ow proposed to amend the Amended Proposed Work Plan for Fiscal Year 2002 by adding a request for a new staff position to monitor federal and State legislation effecting immigrant. The Commissioners discussed the desirability of such amendment with some Commissioners expressing reservations about including this position in the proposed budget since the non-profit NGOs are already monitoring and providing notice to the immigrant communities regarding pending Federal and State legislation effecting immigrants. The Commission moved for a vote on Commissioner Ow's Proposal which was seconded. Pursuant to S.F. Charter § 4.104(3) and Article V, §C of the Commission's Bylaw, eight (8) affirmative votes are needed for the approval of this matter. The result of the vote was: seven (7) ayes, four (4) nays and the proposal failed.

The Commissioners proposed amendments to correct typos found in the Proposed Workplan. Commissioner Chronis volunteered to make these changes and forward the corrected copy of the Workplan to Director Pham. The Commission moved for a vote on the Proposed Workplan, as amended, which was seconded. The Commission voted unanimously to adopt the Proposed workplan as amended.

The Commission considered the Proposed Budget for FY 2002. Some Commissioners expressed concern regarding the

projected salary for the policy monitoring legislation position proposed in the budget. Director Pham informed the Commission that he would consult with the Civil Service Commission to determine that appropriate salary level for the community liaison position. Action on the Proposed Budget was continued to the Commission's May meeting.

Consideration of Resolution Supporting AB989

During the discussion of this resolution, some Commissioners inquired about the purposes behind CRAF and CAPI and the significance of the date August 22, 1996. Mr. Hobb, from Santa Clara County, explained that CRAF and CAPI were state programs to provide food and welfare assistance to legal permanent residents in California who would have been otherwise eligible for the federal food stamp program and federal welfare but for the fact that they arrived in the United States after August 22, 1996. These two programs were originally intended to be stopgap measures to provide assistance for these immigrants. Hence legislation authorizing these two programs contains a termination date of eligibility for the newly arrived immigrants to receive benefits. The hope was that Congress would eventually repeal Public Law 104-193 which establish ineligibility for federal welfare assistance based on the date of entry into the United States rendering these two program obsolete. The California legislature has extended the termination date of eligibility each year since Congress has not taken the hope for action. Because it seems clearly that Congress is unlikely to repeal the eligibility provision under Public Law 104-193, Assembly members Chan and Cedillo proposed AB989 which to make permanent these to assistance programs for eligible immigrants who entered the United States after August 22, 1996. After proposing two typographical corrections on p. 2, line 3 of the resolution, the Commission moved for a vote on the resolution and was seconded. The Commission voted unanimously to approve the Resolution as amended.

Consideration of the Waiver of Bylaws to Elect a New Chair and Vice-Chair.

Due to the changes in the Commission's membership, Chair Saucedo proposed to waive the bylaws provisions with

regarding the election of the Chair and Vice-Chair and allow for nominations for Chair and Vice-Chair to occur during the May meeting and the election for Chair and Vice-Chair to occur during the June meeting. The Commission moved for a vote which was seconded. The Commission voted unanimously for Chair Saucedo's proposal.

Consideration of Resolution Supporting Foreign Countries' Efforts to Allow For Dual Citizenship.

Commissioner Chronis introduced a resolution that would urge the Mayor & the Board of Supervisors to support efforts in foreign countries to change laws restricting rights of foreign nationals who obtains US citizenship. The resolution was introduced in support of a proposed legislation pending in the Kingdom of Tonga that would allow Tongans to maintain dual citizenship when Tongan nationals naturalize to become U.S. Citizens. During the discussion on this resolution, the Commissioners proposed to amend the resolution to specifically refer to the Kingdom of Tonga, rather than to "foreign countries." The Commission moved for a vote on the Resolution, as amended, which was seconded. The Commission voted unanimously to adopt the resolution, as amended.

Director's Report: Director Pham reported to the Commission on the following:

There are 7 seats to be filled by the Board of Supervisors & 2 seats from the Mayor. Some of the newly appointed Commissioners were appointed to the unexpired terms of the former Commissioners and their terms will expire soon. He informed the new Commissioners that they would have to submit another application to Victor Young for reappointment.

He has been talking to the Board of Supervisors about the annual report, talk about the Commission, vacant seats of the Commission and how the Commission performs and provide to the City for the last two years.

There will be an Immigrant Day held in Sacramento on May 7, 2001 to support pending State legislature regarding immigrant rights. He encouraged the Commissioners to join and participate in the event.

He met with Supervisor Leno and discussed with him about implementation of the Language Access Ordinance, once adopted. Supervisor Leno informed Director Pham that the Board has not decided on the appropriate department to implement the Ordinance. If the Board decides to designate the Commission as the implementing department, there might be a need for supplemental appropriation for the Commission to hire a staffer to oversee the implementation of the Ordinance.

Next Meeting: Next regular meeting will be held in City Hall, on May 7, 2001 at 5:00 p.m.

Adjournment: The Commission meeting was adjourned at 7:15 p.m.

MAY - 1 2001

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[Resolution In Support of AB989.]

Resolution urging the Mayor and the Board of Supervisors to support AB 989 which would eliminate the termination date for the period of eligibility for noncitizen families and individuals to receive assistance under the California Food Assistance Program (CFAP) and Cash Assistance Program for Immigrants (CAPI).

WHEREAS, The City and County of San Francisco is home to thousands of refugees and immigrants; and,

WHEREAS, The City and County of San Francisco has adopted a tolerant policy towards refugees and immigrants and has declared itself to be a City and County of Refuge (San Francisco Administrative Code § 12H.1); and,

WHEREAS, The Board of Supervisors established the Immigrant Rights Commission to advise the Mayor and the Board of Supervisors on State and federal legislation effecting immigrants (San Francisco Administrative Code § 5.201(d)(4)); and,

WHEREAS, Immigrants work, pay taxes, and contribute to every sector of California's economy and culture; and,

WHEREAS, The number of immigrants in the United States has tripled in the last 30 years; and,

WHEREAS, Based on the United States census data more than 40 percent of the immigrants are living at or near poverty level in 2000 as compared to 26 percent in 1970; and,

WHEREAS, The United States Congress enacted Title IV of Public Law 104-193 which denies otherwise eligible immigrants who entered into the United States on or after 1996 assistance from the federal Food Stamp Program and from Supplemental Security

1 Income/State Supplementary Program for the Aged, Blind, and Disabled (federal assistance
2 programs); and,

3 WHEREAS, According to a recent article of the San Francisco Chronicle, Social
4 Security Administration estimated the undocumented workers might have contributed to
5 nearly \$4 billion to Social Security; and,

6 WHEREAS, The State of California enacted the California Food Assistance Program
7 (CFAP) and the Cash Assistance Program for Immigrants (CAPI) to assist immigrants who
8 are otherwise eligible for but are disqualified under Title IV of Public Law 104-193 to receive
9 assistance from the federal assistance programs; and,

10 WHEREAS, The California Food Assistance Program (CFAP) ensures that eligible
11 families receive adequate nutrition by providing food stamps to those who are no longer
12 eligible for federal food stamps under Title IV of Public Law 104-193; and,

13 WHEREAS, The Cash Assistance Program for Immigrants (CAPI) provides subsistent
14 benefits to seniors and persons with disabilities who are no longer eligible for SSI/SSP
15 benefits under Title VI of Public Law 104-193; and,

16 WHEREAS, Sections 18930(b)(4) and 18938(a)(3) of the California Welfare and
17 Institutions Code establish a termination date of September 30, 2001 for the period of
18 eligibility for immigrants to receive assistance from CFAP and CAPI, respectively; and,

19 WHEREAS, Continuing these two programs will ensure that otherwise eligible
20 immigrants will continue to receive assistance in obtaining the basic necessities for life; and,

21 WHEREAS, Assembly Members Chan and Cedillo have introduced AB 989 which
22 would amend Section 18930(b)(4) and 18938(a)(3) by deleting the termination date of
23 September 30, 2001 thus, ensuring eligible immigrants will continue to receive the needed
24 assistance from CFAP and CAPI; now, therefore, be it
25

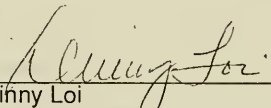
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RESOLVED, That the San Francisco Immigrant Rights Commission strongly supports AB 989, which would eliminate the termination date for the period of eligibility for otherwise eligible immigrant families and individuals who entered into the United States on or after August 22, 1996 to receive assistance from CFAP and CAPI; and, be it

FURTHER RESOLVED, That the Immigrant Rights Commission urges the Mayor and the Board of Supervisors to adopt a resolution in support of AB 989.

CERTIFICATION OF SECRETARY

I hereby certify that I am the duly appointed Secretary of the Immigrant Rights Commission and that the above Resolution titled "Resolution In Support of AB989." was duly adopted and approved by the Immigrant Rights Commission at a properly noticed regular meeting on April 16, 2001.



Winny Loi
Secretary of the Commission



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

Notice of Meeting and Agenda

DOCUMENTS DEPT

Date: May 7, 2001
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Conference Room 400
One Dr. Carlton B. Goodlett Place

MAY - 1 2001

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AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (*Action Item*) (5 minutes)
(Explanatory Documents: Minutes of April meeting)*
- III. Public Comment (*Information Item*) (10 minutes)
- IV. Presentation (*Information Item*) (25 minutes)
Susan Alunan, San Francisco Veterans Equity Center, Chair Advocacy Committee
- V. Future Activity (*Action Items*) (30 minutes)
1. Proposed Budget for FY 2002
(Explanatory Documents: Proposed budget)*
 2. U.S. Veterans status for Filipino Veterans of WWII
Resolution to support Filipino Veterans of WWII
(Explanatory Documents)
- VI. The Director will report on the activity & operations of the Commission (20 minutes)
1. Immigrant Day 2001
 2. Status of Commissioner Membership
 3. Status of Language Access Ordinance
- VII. Nomination of Candidate for the Position of Chair and Vice-Chair (10 minutes)
- VIII. Next Steps (*Discussion Item*) (10 minutes)
Meeting with the new members of the Board of Supervisors and the Mayor
The Commission submits to the new Board of Supervisors and the Mayor the Annual Report.
- IX. Next Meeting's Agenda (*Discussion Item*) (10 minutes)
- X. Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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Donna Hall, Clerk
Sunshine Ordinance Task Force
City Hall – Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
(415) 554-7724 (Office)
(415) 554-5163 (Fax)
E-mail: donna_hall@ci.sf.ca.us

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LOBBYIST ORDINANCE

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For more information about the Lobbyist Ordinance, contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, (415) 554-9510, FAX (415) 703-1021, or visit their web site at <http://www.ci.sf.ca.us/ethics>

JUN 28 2001

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Immigrant Rights Commission
Minutes of Regular Meeting on May 7, 2001

The Immigrant Rights Commission (IRC) regular meeting was held on Monday, May 7, 2001 at San Francisco City Hall in Room 400, at 5:00 P.M.

Members Present Renee Saucedo, Penelope Chronis, Vera Haile, Marie Lorraine Mallare, Philip Nguyen, Thou Ny, Richard Ow, Diana Lau, and Phu Nguyen. Diana Lau arrived at 5:40 & Thou Ny left at 6:00.

Members Absent Samuel Assefa, Isabel Huie, Anita Friedman, Fidel Jimenez Emi Gusukama and Vram Kouramajian.

Guest Present Susan Alunan, Lourdes Tancinco, Mars Estrada, Gary Aranal, Erenesto Cinco and Felimon Mordeno

Others Present Dang Pham, Executive Director of the IRC
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

Introduction: Commissioner Renee Saucedo welcomed & introduced Vera Haile, succeeding Renato Ecarma, (Seat No. 1)

Approval of Minutes: The minutes of April 16, 2001 meeting was approved by the Commission. Commissioner Nguyen moved the motion & was seconded by Commissioner Chronis.

Presentation: Susan Alunan, Chair of Advocacy Committee, for the San Francisco Veterans Equity Center spoke to the Commission and ask us to support the resolution towards U.S. Veterans status for Filipino Veterans of WWII. She gave the Commission some background of what the Filipinos Veterans did for the U.S. during WWII. After the war, the rescission Act of 1946 rescinded any benefits that Filipino Veterans of WWII could receive. They were the only country of the 66 nations that fought with the United States during WWII who were affected by this and it is a grave injustice. The Filipino's have been waiting for 55 to 56 years for benefits that were promised to them by Franklin Roosevelt and Douglas MacArthur.

Lourdes Tancinco, President of Veterans Equity Center gave the commissioner some background. In 1946, congress decided not

to grant them U.S. citizenship. Only in 1990 Immigration Nationality Act that this was rectified and they were finally granted citizenship ten years ago. They have come to the United States as new immigrants but this did not come with the benefits. The Filipinos are still not being treated as other U.S. Veterans. The Veterans Equity Center is still struggling for their rights and they also have an equity bill that has been introduced since 1993 before the U.S. Congress, but it has not been passed. She asked the Immigrant Rights Commission to support the HR491 Equity Bill. This is the only agency that is supported by the City of San Francisco nationwide that is addressing the needs of veterans from housing, to case management and to immigration and legal services. They are depleting their one time funding from the City and now they are trying to ask, the Immigrant Rights Commission to support the center.

Mars Estrada, Counselor at the Veterans Equity Center wanted to thank the Immigrant Rights Commission for our support. He spoke to the Commission about how the Veterans were not given a decent burial they are not even given the flag that they fought for. All of the Veterans are only receiving welfare, but they are not receiving any benefits from Veterans affairs. He also stressed that when the Filipino Veterans go to the Social Security office, they are treated like any other recipient receiving welfare, but if they go to the Veterans Equity Center they are treated as a hero. The Veterans are being treated very well at the Veterans Equity Center, they are being saluted for what they have done and they are given the benefits that they properly deserve.

Gary Aranal, President Filipino WWII Veterans and Family and Friends started his organization in 1994. When they first started there were 140 Veterans, but now there is only 40 left, because most of them have died and some have returned to the Filipinos. When the Filipino Veterans came to the U.S. in 1990 they thought that they were getting all the benefits a Veteran would receive, but all they got was Naturalization Certificate and SSI benefits. They are very happy that the San Francisco has supported the Veterans Equity Center & it would be a tragedy to lose this Center, because they would not know where to turn to. The Board of Supervisors has passed a resolution to support the funding and hopefully that this budget will be approved.

Erenesto Cinco, a WWII Veteran, talked about demanding of

getting fairness & that someone needs to be responsible to the Veterans who has service for the U.S. Army. The Veterans just want the government to pay for the health or other services. They have fought for their country and they would like to get fair treatment for what they have done for their country.

Felimon Mordeno, a WWII Veteran, has maintained an organization just to pay for the benefits that Veterans have been looking for many years. He also stated that due to other funding from other organizations, the Veterans SSI check were being reduced. The Veterans believe that these amounts should not be deducted from the amount that they were given. The Equity Center is a place where they can go when they do have problems or just need assistance and help.

Before closing their speech, Susan told the Commissioners that Supervisor Gavin Newson introduced a resolution to the Board urging the Mayor to support the Veterans Equity Center at \$250,000 per year annually, it was pass by the Board of Supervisors. The Board of Supervisor also passed a resolution urging the President and the U.S. Congress to support the Equity Bill that was signed by the Mayor. The Center has 850 open unduplicated cases of veterans that they are serving this year and would like to open the doors to more than 1,200 who are living in the South & North of Market and Tenderloin. The Veterans Equity Center asked the Immigrant Rights Commission to support the Center.

Action Items: Consideration of Resolution Supporting U.S. Veterans Status for Filipino Veterans of WWII

The Veterans Equity Center drafted a resolution for the Immigrant Rights Commission. Commissioner Saucedo made a motion to adopt the title Toward U.S. Veterans Status for Filipino Veterans of WWII, with an amendment that the IRC also supports Supervisor Newsom legislation to fund the Veterans Equity Center in this year's budget.

The last three paragraphs will be amended as follows:

"Therefore be it
RESOLVED, That the San Francisco Immigrant Rights
Commission supports the correction of the grievous act of

institutional injustice and discrimination leveled against Filipino WWII veterans by amending the 1946 Rescission Act;

FURTHER RESOLVED, That the San Francisco Immigrant Rights Commission supports the restoration of full United States veteran's status to Filipino WWII veterans by supporting the introduction of legislation to this effect;

FURTHER RESOLVED, That the San Francisco Immigrant Rights Commission supports the on-going campaign of the last twelve years for full equity and justice for Filipino WWII veterans in a coordinated effort among Filipino American veterans, community leaders and all who believe in the justness of this cause, by advocating and working for equity through a comprehensive legislative, judicial and public education campaign and therefore be resolved that the San Francisco Immigrant Rights Commission urges the Mayor and the Board of Supervisors to support Equity for Filipinos American WWII Veterans;

FURTHER RESOLVED, That the San Francisco Immigrant Rights Commission supports Supervisor Newsom's legislation regarding this year's budget & support HR491 for the Veterans Equity Center."

After proposing a few changes to the resolution, the Commission moved for a vote on the resolution, as amended and was seconded. The Commission voted unanimously to approve the Resolution as amended.

Director's Report: Director Pham reported to the Commission on the following: On May 16, Commissioners Ow & Huie joined Director Dang Pham & Commission Secretary Winny Loi drove to Sacramento for Immigrant Day. The Immigrant Rights Commission joined Isabel Algria, California Immigrant Welfare Collaborative, to talk with Assembly women Carol Migden's staff, Kevin Shelley's staff & Senator John Burton's staff to ask for their supports towards the AB989 & the Driver License issue regardless of immigration status. Migden, Shelly & Burton strongly support the AB989 & the Driver License issue. Around 1,500 people joined to support Immigrant Day.

Also reported to the Commission about status on the

membership, 7 applications were submitted to the rules committee and the meeting is on May 17, 2001 at 10:00 a.m.

Director Dang Pham also reported that he met with Supervisor Mark Leno to discuss the Language Access Ordinance. He will introduce the bill and drafted up some estimated costs and he will try to get a full time person the handle the Language Access Ordinance.

On May 10, 2001 Mr. Pham, the Director will meet with Chinese for Affirmative Action (CAA) at 17 Walter Lum Place in San Francisco.

Immigrant Pride Day might be in Mission District, they are still discussing about the location. Edward Rodriguez will meet with Director Dang Pham to discuss about information regarding Immigrant Pride Day.

Commissioner Saucedo informed the Commissioner's about two main pieces of legislation, the Language Access Ordinance and the Immigrant and Public Housing Committee. She strongly urged the Commissioners to attend the Language Access Ordinance on May 17, 2001 at 1:00 and the Immigrant and Public Housing Legislation that's being pushed by Supervisor Ammiano, on Thursday May 24, 2001 at 1:00. There is a rally that Commissioner Saucedo will be helping to organize a rally with various individuals and other community groups. The rally will be held at 12:30 pm and the hearing before the Housing committee will occur at 1:00 pm.

The members of the Commission and the Director will meet with the Board of Supervisors and the Mayor to talk about the Language Access Ordinance and the 2001 Workplan & Budget.

Consideration of the Waiver of Bylaws to Elect a New Chair and Vice-Chair.

Due to absent members of the Commissioners, Commissioner Ow made a motion to postpone the nomination of the Chair & Vice-Chair until June's monthly meeting. On June's meeting Commissioner Saucedo proposed to nominate & vote for Chair and Vice-Chair. The Commission moved for a vote, which was seconded by Commissioner Philip Nguyen.

Next Meeting: Next regular meeting will be held in City Hall, on June 4, 2001 at 5:00 p.m.

Adjournment: The Commission meeting was adjourned at 7:00 p.m.

DOCUMENTS DEPT.

**RESOLUTION TOWARDS U.S. VETERANS STATUS FOR FILIPINO
VETERANS OF WWII**

JUN 19 2001

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WHEREAS, The Philippine Islands was a territory of the United States until July 4, 1946 and the United States had control over Philippine nationals and its internal affairs. The Philippines Commonwealth had no function in matters of foreign affairs and could not declare war nor surrender its forces; and,

WHEREAS, On July 26, 1941, U.S. President Roosevelt issued a Military Order and invoked his powers under Section 2(a) (12) of the Philippine Independence Act (P.L. No. 77-127 Section 10(a)) to "call and order into the service of the Armed Forces of the United States. . . all of the organized military forces of the government of the Commonwealth of the Philippines."; and,

WHEREAS, World War II is remembers as The Good War that President Roosevelt claimed to have defended the great human freedoms against the encroachment and attack of the dark forces of despotism; and,

WHEREAS, Filipino soldiers fought during World War II under the American flag and under the direction and control of United States military leaders pursuant to President Roosevelt's July 1941 Military Order; and,

WHEREAS, Shortly after the war in 1946, the U.S. Congress passed the Rescission Act which specifically mandates that services rendered by Filipino World War II veterans..." shall not be deemed to have been active military, naval, or air service for the purposes of any law of the United States conferring rights, privileges or benefits . . ."; and,

WHEREAS, The legislative rider appended to the 1946 Rescission Act denies U.S. military status and benefits to those veterans who fought under the command of officers of the U.S. Armed Forces in the Philippines; and,

WHEREAS, The significant and adverse impact of the 1946 Rescission Act is its unjust discrimination against Filipino soldiers of World War II by denying them eligibility for equal benefits administered by the Department of Veterans Affairs; and,

WHEREAS, Filipinos are the only national group singled out for denial of full U.S. veterans status while the soldiers of more than 66 other U.S. allied countries, who were similarly inducted into the service of the Armed Forces of the United States during World War II, were granted full U.S. veterans status; and,

WHEREAS, The United States government has yet to fully restore the rights, privileges and benefits guaranteed, then taken away from Filipino soldiers of WWII; and,

1 WHEREAS, The gallantry, loyalty and sacrifices of Filipino veterans of WWII, who
2 fought for freedom and democracy in the Armed Forces of the United States,
3 deserves recognition and their honor and dignity restored; and,

4 WHEREAS, There is no pending legislation in the U.S. Congress that will restore
5 full United States veteran's status to Filipino WWII veterans; and,

6 THEREFORE BE IT RESOLVED, That the San Francisco Immigrant Rights
7 Commission supports the correction of the grievous act of institutional injustice
8 and discrimination leveled against Filipino WWII veterans by amending the 1946
9 Rescission Act; and,

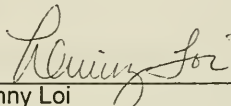
10 FURTHER RESOLVED, That the San Francisco Immigrant Rights Commission
11 supports the restoration of full United States veteran's status to Filipino WWII
12 veterans by supporting the introduction of legislation to this effect; and,

13 FURTHER RESOLVED, That the San Francisco Immigrant Rights Commission
14 supports the on-going campaign of the last twelve years for full equity and justice
15 for Filipino WWII veterans in a coordinated effort among Filipino American
16 veterans, community leaders and all who believe in the justness of this cause, by
17 advocating and working for equity through a comprehensive legislative, judicial
18 and public education campaign; and, therefore be resolved that the San Francisco
19 Immigration Rights Commission urges the Mayor and the Board of Supervisors to
20 support Equity for Filipinos American WWII Veterans; and be it

21 FURTHER RESOLVED, That the San Francisco Immigrant Rights Commission
22 supports Supervisor Newson's legislation regarding this year's budget & support
23 HR491 for the Veterans Equity Center."
24
25

CERTIFICATION OF SECRETARY

I hereby certify that I am the duly appointed Secretary of the Immigrant Rights Commission and that the above Resolution titled "Resolution In Support of U.S. Veterans Status for Filipino Veterans of WWII." was duly adopted and approved by the Immigrant Rights Commission at a properly noticed regular meeting on May 7, 2001.

A handwritten signature in cursive script, appearing to read "Winny Loi", is written over a horizontal line.

Winny Loi
Secretary of the Commission



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

DOCUMENTS DEPT.

Notice of Meeting and Agenda

JUN - 1 2001

Date: June 4, 2001
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Conference Room 400
One Dr. Carlton B. Goodlett Place

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AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (*Action Item*) (5 minutes)
(Explanatory Documents: Minutes of May meeting)*
- III. Nomination & Vote for Candidate for the Position of Chair and Vice-Chair (*Action Item*) (30 minutes)
- IV. Public Comment (*Information Item*) (10 minutes)
- V. Future Activity (*Action Items*) (40 minutes)
 1. Proposed Budget for FY 2002
(Explanatory Documents: Proposed budget)*
- VI. The Director's report (15 minutes)
 1. Status of Commissioner Membership
 2. Language Access Ordinance
- VII. Next Steps (*Discussion Item*) (10 minutes)

Meeting with the of the Board of Supervisors and the Mayor
The Commission submits to the Board of Supervisors and the Mayor the proposed Work Plan & Budget for fiscal year 2002.
- VIII. Next Meeting's Agenda (*Discussion Item*) (10 minutes)
- IX. Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

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For more information about the Lobbyist Ordinance, contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, (415) 554-9510, FAX (415) 703-1021, or visit their web site at <http://www.ci.sf.ca.us/ethics>

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Immigrant Rights Commission
Minutes of Regular Meeting on June 4, 2001

The Immigrant Rights Commission (IRC) regular meeting was held on Monday, June 4, 2001 at San Francisco City Hall in Room 400, at 5:00 P.M.

Members Present Renee Saucedo, Penelope Chronis, Vera Haile, Isabel Huie, Thou Ny, Fidel Jimenez, Diana Lau, and Phu Nguyen.

Members Absent Samuel Assefa, Anita Friedman, Marie Lorraine Mallare, Philip Nguyen, Richard Ow, Emi Gusukuma and Vram Kouramajian.

Others Present Dang Pham, Executive Director of the IRC
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

Approval of

Minutes: Commissioner Saucedo proposed to amend paragraph 5 of the Director's report section as follows:

Commissioner Saucedo informed the Commissioners about two main pieces of legislation, the Language Access Ordinance and the Immigrant and Public Housing Committee. She strongly urged the Commissioners to attend the Language Access Ordinance on May 17, 2001 at 1:00 and the Immigrant and Public Housing Legislation that's being pushed by Supervisor Ammiano, on Thursday May 24, 2001 at 1:00. There is a rally that Commissioner Saucedo will be helping to organize a rally with various individuals and other community groups. The rally will be held at 12:30 pm and the hearing before the Housing committee will occur at 1:00 pm.

Commissioner Chronis moved to adopt the Minutes as amended & was seconded by Commissioner Ny. The Commission unanimously approved the minutes of May 7, 2001 meeting, as amended.

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Action Items: Nomination & Vote for Candidate for the Position of Chair and Vice-Chair

Commissioner Saucedo nominated Commissioner Lau for Chair & Commissioner Huie for Vice Chair. Commissioner Saucedo moved for a vote and Commissioner Ny seconded the motion. Commission Lau and Huie were unanimously elected to the position of Chair and Vice-Chair, respectively.

Proposed Budget for FY 2002

Commissioner Saucedo asked Director Pham to explain the Proposed Budget for FY 2002. Mr. Pham explained that the salary and fringe benefits for the Commissioner Secretary is to increase an existing .33 FTE position by .67 FTE, this will create a full time position to monitor compliance of the ordinance. The Commission suggested putting in place grants, totaling \$50,000 to community based organizations to conduct an outreach program regarding immigrant rights issues.

Commissioner Haile suggested that the Immigrant Rights Commission write a thank you letter to all the organizations, such as Lawyers Committee for Civil rights, Chinese for Affirmative Action, CADAC, Employment Law Center and LA RAZA Centro Legal that supported the passage of the Language Access Ordinance. Commissioner Chonis volunteers to draft the letter these community-based organizations for their support.

Director's Report: Director Pham reported to the Commission about status on the membership, 14 applications were submitted to the rules committee and the meeting is on Thursday, June 7, 2001 at 10:00 a.m. in the Rules Committee Meeting. Concerned that there will be no representation from the Latino community once Commissioner Saucedo leaves the Commission, Commissioner Saucedo suggested to Director Pham talk to the Board of Supervisors and the Mayor's Office about appointing qualified a Latinos/Latinas to the Commission.

Commissioner Saucedo will be meeting with Supervisor Ammiano this Friday, June 8, 2001 at 3:30 to talk about the reporting requirement in the language of the public housing. The Housing Authority denies subsidies to immigrants who couldn't prove citizenship or legal permanent residency and also require them to verify immigration status through INS. Supervisor Amminao's Legislation has a no reporting requirement. He wanted to provide a pool of funding so no one would lose his or her subsidies.

Commissioner Saucedo informed the Commissioners about the Immigrant and Public Housing Committee. She strongly urged the Commissioners to attend the Immigrant and Public Housing Legislation that's being pushed by Supervisor Ammiano, on June 28, 2001 at 1:00.

Next Meeting: Next regular meeting will be held in City Hall, on July 2, 2001 at 5:00 p.m.

Adjournment: The Commission meeting was adjourned at 6:20 p.m.



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

Notice of Meeting and Agenda

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Date: July 2, 2001
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Conference Room 400
One Dr. Carlton B. Goodlett Place

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AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (*Action Item*) (5 minutes)
(Explanatory Documents: Minutes of June meeting)*
- III. Public Comment (*Information Item*) (10 minutes)
- IV. Sunshine Ordinance - Dorji Roberts, Deputy City Attorney (15 minutes)
- V. Presentation (20 minutes)
Ted Wang-Director of Policy for Chinese Affirmative Action
(Passing the Language Access to Services Ordinance)
- VI. Draft of the Resolution to support the human rights in Vietnam (10 minutes)
(Discussion & Explanatory Documents)
- VII. Future Activity (*Action Items*) (20 minutes)
 1. Welcome new members and appreciation for the out going commissioners
 2. Proposal of celebration of the 4th year anniversary for the IRC
- VIII. The Director's report (10 minutes)
 1. Status of Commissioner Membership
 2. Southeast Asian Task Force Meeting
- IX. Next Steps (*Discussion Item*) (10 minutes)
Meeting with the of the Board of Supervisors and the Mayor
The Commission submits to the Board of Supervisors and the Mayor the proposed Work Plan & Budget for fiscal year 2002.
- X. Next Meeting's Agenda (*Discussion Item*) (10 minutes)
- XI. Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapters 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, please contact:

Donna Hall, Clerk
Sunshine Ordinance Task Force
City Hall – Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
(415) 554-7724 (Office)
(415) 554-5163 (Fax)
E-mail: donna_hall@ci.sf.ca.us

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

* Copies of explanatory documents are available to the public on the Commission's webpage: www.ci.sf.ca.us/immigrant/meeting.html; or, upon request to the Commission Secretary, at the above address or phone number.

DISABILITY ACCESS

The Immigrant Rights Commission meeting will be held in Room 416 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco.

The meeting location is between Grove and McAllister Streets and is wheelchair accessible. The closest BART and Muni Metro Station is Civic Center, about three blocks from the meeting location. Accessible Muni lines nearest the meeting location are:

42 Downtown Loop
49 Van Ness-Mission
F-Market & Muni Metro (Civic Center Station)

For more information about Muni accessible services call (415) 923-6142.

There is accessible on-street parking available in the vicinity of the meeting location.

For assistance with special needs (large print agendas, sign language interpreters, etc.) call Dang Pham at (415) 554-7583.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that others may be sensitive to various chemical based products. Please help the City accommodate these individuals.

LOBBYIST ORDINANCE

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**Immigrant Rights Commission
Minutes of Regular Meeting on July 2, 2001**

The Immigrant Rights Commission (IRC) regular meeting was held on Monday, July 2, 2001 at San Francisco City Hall in Room 400, at 5:00 P.M.

Members Present Renee Saucedo, Penelope Chronis, Samuel Assefa, Vera Haile, Isabel Huie, Diana Lau, Richard Ow, Emi Gusukuma and Phu Nguyen.

Members Absent Vram Kouramajian and Fidel Jimenez.

Others Present Dang Pham, Executive Director of the IRC
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

Sunshine

Ordinance: Dorji Roberts, Deputy City Attorney gave the Commissioners an overview of the requirements of the Sunshine Ordinance.

Presentation: Ted Wang, Director of Policy for Chinese Affirmative Action, gave a presentation to the Commissioners on the passage of the Language Access to Service Ordinance and its implementation. The rights embodied in Language Access Ordinance has been protected by Federal & State Law. Under Title 6 of the Civil Rights Act of 1964, any recipients, including governmental and private entities, of federal funding are prohibited from implementing policies that restrict access to services provided based on language. Under State Law, the Dymally-Altorre bilingual service statue was passed in 1973. The Dymally-Altorre Statute requires all government agencies to make their services available to people who are not fluent in English. The purpose of the Language Access Ordinance is to establish consistent standards for the provision of services to those who are not proficient in English and would apply to all City Departments.

Vivek Malhotra, Policy Advocate for Chinese Affirmative Action prepared a 3 page summary of the ordinance. Under the ordinance, City Departments are divided into two categories, Tier 1 and Tier 2. Eighteen (18) that provide the most critical services & public contact are classified as Tier 1 Department. The Tier 1 Departments are required to translate all vital governmental documents into the languages that are

spoken by at least 10,000 limited English proficient (LEP) residents or 5 percent of the clients served by the department. According to 1990 Census, only two languages that meet the citywide threshold are Spanish and Chinese. Vital documents include those that describe services provided by departments, any applications and notices that affect the rights of individuals.

Tier 2 are all other City department with 30 or more full-time employee that furnish information or provide services directly to the public. The Tier 2 Departments are only required to translate a limited category of publicly-posted documents affects a person's rights and those that explain services provided by the Department.

In certain situations, the ordinance requires City Departments to translate documents and/or provide oral translation in additional languages. For supervisorial district that consists of 5% or more Limited English-Proficient (LEP) Person, City Departments have an obligation to also provide oral translation in the language of the LEP. If a local office of a City Department services more than 5% of LEP that share a common language, they are also required services to be accessible to these people.

Most of the city departments had to absorb the costs of implementing this ordinance, because there are no independent funding sources.

The Immigrant Rights Commission (IRC) responsible for monitoring compliance with the ordinance and to provide technical assistance to City Departments regarding the implementation of the ordinance. One year after the effective date of the ordinance, the IRC will begin to monitor and enforce the ordinance. The IRC should develop some model forms & plans, brochures that other departments could use in developing implementation strategies.

**Approval of
Minutes:**

Commissioners proposed to amend the minutes as follows:

Correction on Commissioner Gusukuma name & correct some grammatical errors. Corrections to the 5th paragraph as follows:

Commissioner Haile suggested that the Immigrant Rights Commission write a thank you letter to all the organizations, such as Lawyers Community for Civil rights, Chinese for Affirmative Action, CADC, Employment Law Center and LA RAZA Centro Legal that supported the passage of the Language Access Ordinance. Commissioner Chronis volunteers to draft the letter these community-based organizations for their support.

Commissioner Chronis moved to adopt the Minutes as amended & was seconded by Commissioner Gusukuma. The Commission unanimously approved the minutes of July 2, 2001 meeting, as amended.

Discussion: Commissioner Nguyen gave the commission some background regarding the Human Rights in Vietnam. He wanted the IRC to urge the Mayor & the Board of Supervisors to support a resolution. The Deputy City Attorney advised the Commission that the subject matter is beyond the scope of the Commission's authority.

Director's Report: Director Pham reported to the Commission about status on the membership, 19 applications were submitted to the Rules Committee. The meeting considering these applications was held on Thursday, June 21, 2001 at 1:00 p.m. Six seats were up for consideration. Three (3) of the existing Commissioners were re-appointed to their seats. They are: Emi Gusukuma, Vram Kouramajian & Phu Nguyen. The Rules Committee appointed two (2) new individuals. They are: Marcos Eusebio Gutierrez & Joseph Nwadibia.

Director Pham would like to invite Sally Kinoshita with the Southeast Asian Task Force, to discuss about the deportation issues. He has sat in various meetings where they talked about issues relating to immigrants.

Future Activity: Director Pham discussed about the 4th Anniversary. He wanted to have a gathering of all Commissioners (new members and the outgoing) of the Immigrant Rights Commission. He also proposed to present a certificate of honor to the outgoing commissioners. Commissioner Chair Lau proposed to the Director to get the date, places & fees needed to have this gathering. Commissioner Ow made a motion to celebrate the Immigrant Rights Commission's 4th Anniversary, which was seconded by Commissioner Haile. The Commission unanimously approved the celebration of the Immigrant Rights Commission Anniversary.

Commission Chair Lau also emphasize the need to conduct some public meetings in the neighborhoods in San Francisco.

Next Meeting: Next regular meeting will be held in City Hall, on August 6, 2001 at 5:00 p.m.

Adjournment: The Commission meeting was adjourned at 7:15 p.m.

Equal Access to Services Ordinance

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Legislative Status:

Finally Passed by Board: June 4, 2001

Signed by Mayor: June 15, 2001

Effective Date of Enactment: July 15, 2001

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The Equal Access to Services Ordinance requires City departments to provide their services in languages other than English when 10,000 city residents, 5 percent or more of the clients served by the department, or 5 percent of the residents of the supervisorial district in which the departments' offices are located, are limited-English proficient (LEP) and share a primary language. The major services affected by the ordinance are spoken language services, and written translation of government documents. In addition, departments are required to submit a compliance plan to ensure that they are meeting their obligations under the Ordinance.

Spoken Language Services

The ordinance requires each City department with at least 30 full-time City employees to provide information and services to the public, not only in English, but also in the languages spoken by at least 10,000 LEP residents or 5 percent of the clients served by the department. [Section 89.3.] According to 1990 Census results (2000 Census data on language proficiency will not be available until 2002), the languages that fall under the broad, citywide 10,000 persons category are Spanish and Chinese (specifically Cantonese).

Also, a local office of a City department that provides direct services to the public and serves as the workplace for 5 or more full-time City employees must additionally provide information and services to the public in the languages spoken by at least 5 percent of the population of the supervisorial district in which the facility is located or at least 5 percent of the clients served by the local office, when either of those constituencies is LEP and shares a primary language other than English. [Section 89.3.]

In order to comply with the spoken language component of the Ordinance, departments must utilize sufficient numbers of bilingual staff in public contact positions (made vacant by retirement or attrition – no existing employee would be dismissed to implement this ordinance). A public contact position is defined in the ordinance as “a position in which a primary job responsibility consists of meeting, contacting, and dealing with the public in the performance of the duties of that position.” [Section 89.2(i).] The standard for determining whether departments are in compliance with this requirement of the Ordinance is whether they “provide the same level of service to Limited English Speaking Persons as they provide English speakers.” [Section 89.3(a).] The Ordinance does not preclude the use of other means (such as language translation telephone lines) to communicate with the public in non-English languages in order to supplement bilingual staffing.

Written Translation

The Ordinance also requires City departments that provide extensive public services (enumerated in the Ordinance as Tier 1 departments¹) to translate vital governmental documents into the languages spoken by at least 10,000 LEP residents or 5 percent of the clients served by the department. [Section 89.4.] Again, according to 1990 Census results, the only two languages that meet the citywide threshold are Spanish and Chinese. There are eight categories of "vital documents" designated in the ordinance for translation by Tier 1 departments.

All other City departments that furnish information or provide services directly to the public and that consist of at least 30 full-time City employees (called Tier 2 departments) are required only to translate a limited category of publicly-posted documents or notices. [Section 89.4(b).]

Compliance

Each City department with at least 30 full-time City employees is required to draft and file with the Immigrant Rights Commission an annual compliance plan. The first plan must be filed within 90 days of enactment of the Ordinance to assess what actions the Department needs to take to come into compliance. The deadline for this initial compliance plan is October 15, 2001 (the 90th day after enactment is October 13, a Saturday). Thereafter, each department must file its compliance plan by February 1 of each year. The compliance plan is a detailed document that contains 14 different categories of information, as enumerated in the Ordinance [Section 89.9].

Role of Immigrants Rights Commission:

The Immigrants Rights Commission is charged with monitoring compliance with the Ordinance. The main responsibilities of the Commission are to (1) review department compliance plans; (2) coordinate a language translation bank or identify a pool of translators for departments that rely on outside translators and need the assistance of the Commission; (3) establish and implement a procedure to accept and resolve complaints about departments' failures to comply with the requirements of the Ordinance; and (4) conduct outreach to LEP residents about their rights under the Ordinance. [Section 89.11.]

¹ "Tier 1 Departments" are defined in the Ordinance as the following departments: Adult Probation Department, Department of Consumer Assurance, Department of Elections, Department of Human Services, Department of Parking and Traffic, Department of Public Health, Department of Public Transportation, District Attorney's Office, Emergency Communications Department, Fire Department, Juvenile Probation Department, Police Department, Public Defender's Office, Department of Aging and Adult Services, Rent Stabilization and Arbitration Board, and Sheriff's Office.

Immediate Needs

The Commission must take the lead in facilitating departmental compliance with the Ordinance. Following is a suggested immediate action plan to begin the process:

1. Send an initial introductory letter to all Tier 1 departments. The letter should (1) summarize the major requirements of the Ordinance, (2) request departments to identify a designated staff person within each department who will be principally responsible for ensuring compliance with the Ordinance [as required by the Ordinance, Sec. 89.4(e)]; (3) alert departments to the initial compliance plan deadline (October 15), and (4) ask departments to identify any technical assistance they need in order to come into compliance with their obligations.
2. Research model governmental language translation programs and develop an expertise in translation resources in order to coordinate a pool of qualified translators for use by City departments. For instance, Washington state has an effective language translation bank. Ideally, the Commission will be able to negotiate competitive rates for translation and to establish a certification standard to ensure that quality translation is provided to City departments.
3. Establish relationships with designated staff members from critical City departments, such as Department of Public Health, Department of Human Resources, Police and Fire Departments, to monitor compliance efforts throughout the year. Currently, Jeanne Zarka of DHS, and Norm Nickens of DPH, are both beginning the process of assembling internal departmental task forces on language access. Mr. Nickens has also indicated that DPH is in the process of creating an internal implementation plan specifically related to the Ordinance.
4. Determine which staff person in the City Planning Department will be principally responsible for gathering the necessary Census data about the LEP population in the City and in each of the supervisorial districts. Departments will need this data to determine bilingual hiring needs in local offices. Strongly urge the Planning Department to provide the Commission and City departments with this data as soon as possible since departments will need the information for their initial compliance plans, due on October 15. The aggregate 1990 Census data on language proficiency is available from the state Department of Finance. 2000 Census data on language proficiency will not be available until next year.

ORIGINAL

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AS DIVIDED IN BOARD
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AS AMENDED IN BOARD
5/29/01

FILE NO. 010409

ORDINANCE NO. 126-01

[Equal Access to City Services For Limited English Speakers]

Ordinance Amending The San Francisco Administrative Code By Adding Chapter 89, Sections 89.1, 89.2 and 89.4 through 89.14, To Require City Departments To Offer Materials If A Substantial Or Concentrated Portion Of The Public Utilizing Their Services Does Not Speak English Effectively Because It Is Not Their Primary Language.

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Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings and Purpose. The Board of Supervisors hereby finds and declares that substantial numbers of persons who live, work, and pay taxes in San Francisco are unable to communicate effectively with city departments because their primary language is not English. The Board further finds and declares that city employees are frequently unable to communicate with persons requiring their services because of this language barrier. Consequently, substantial numbers of San Franciscans may be denied rights, benefits, and services to which they are entitled.

This Ordinance makes it the policy of the City and County of San Francisco to provide equal access to city services to all San Franciscans, including those with limited proficiency in English. This Ordinance also implements and supplements California's Dymally-Alatorre Bilingual Services Act, Government Code §7290 et seq., which requires state and local public agencies serving a substantial number of limited English-speaking people to provide services and materials in the language(s) spoken by those persons. It is the policy of the City and County of San Francisco to support English proficiency even as the Board of Supervisors supports equal access to services for limited English speaking persons.

Section 2. The San Francisco Administrative Code is hereby amended by adding Chapter 89, to read as follows:

CHAPTER 89

EQUAL ACCESS TO SERVICES

Sec. 89.1	Title
Sec. 89.2	Definitions
Sec. 89.3	Equal Access to Services
Sec. 89.4	Translation of Materials
Sec. 89.5	Dissemination of Translated Materials from the State and Federal Government
Sec. 89.6	Public Meetings and Hearings
Sec. 89.7	Recorded Telephonic Messages
Sec. 89.8	Complaint Procedure
Sec. 89.9	Compliance Plans
Sec. 89.10	Recruitment
Sec. 89.11	Commission Responsibilities
Sec. 89.12	Rules and Regulations
Sec. 89.13	Enforcement
Sec. 89.14	Severability

SEC. 89.1. TITLE. This chapter shall be known as the "Equal Access to Services Ordinance."

SEC. 89.2. DEFINITIONS. As used in this Chapter, the following capitalized terms shall have the following meanings:

(a) "Bilingual Employee" shall mean a City employee who is proficient in the English language and a language other than English.

(b) "City" shall mean the City and County of San Francisco.

(c) "Commission" shall mean the Immigrant Rights Commission.

(d) "Concentrated Number of Limited English Speaking Persons" shall mean either 5 percent of the population of the District in which a Covered Department Facility is located or 5 percent of those persons who use the services provided by the Covered Department Facility. The Planning Department shall determine annually whether 5 percent or more of the population of any District in which a Covered Department

1 Facility is located are limited English speaking persons who speak a shared language
2 other than English. The Planning Department shall make this determination by
3 referring to the best available data from the United States Census Bureau or another
4 reliable source and shall certify its determination to all City Departments and the
5 Commission no later than December 1 of each year. Each Department shall determine
6 annually whether 5 percent or more of those persons who use the Department's
7 services at a Covered Department Facility are limited English speaking persons who
8 speak a shared language other than English using either of the following methods
9 specified in Section 89.2(j) of this Article.

10 (e) "Covered Department Facility" shall mean any Department building, office, or
11 location that provides direct services to the public and serves as the workplace for 5 or
12 more full-time City employees.

13 (f) "Departments" shall mean both Tier 1 Departments and Tier 2 Departments.

14 (g) "Districts" shall refer to the 11 geographical districts by which the people of
15 the City elect the members of the City's Board of Supervisors. If the City should
16 abandon the district election system, the Commission shall have the authority to draw
17 district boundaries for the purposes of this Article that are approximately equal in
18 population.

19 (h) "Limited English Speaking Person" shall mean an individual who does not
20 speak English well or is otherwise unable to communicate effectively in English
21 because English is not the individual's primary language.

22 (i) "Public Contact Position" shall mean a position in which a primary job
23 responsibility consists of meeting, contacting, and dealing with the public in the
24 performance of the duties of that position.

1 (j) "Substantial Number of Limited English Speaking Persons" shall mean either
2 10,000 City residents, or 5 percent of those persons who use the Department's
3 services. The Planning Department shall determine annually whether at least 10,000
4 limited English speaking City residents speak a shared language other than English.
5 The Planning Department shall make this determination by referring to the best
6 available data from the United States Census Bureau or another reliable source and
7 shall certify its determination to Departments and the Commission no later than
8 December 1 of each year. Each Department shall determine annually whether 5
9 percent or more of those limited English speaking persons who use the Department's
10 services citywide speak a shared language other than English. Departments shall
11 make this determination using either of the following methods:

12 (1) conducting an annual survey of all contacts with the public made by the Department
13 during a period of at least two weeks, at a time of year in which the Department's public
14 contacts are to the extent possible typical or representative of its contacts during the
15 rest of the year, but before developing its annual compliance plan required by Section
16 89.9 of this Article; or

17 (2) analyzing information collected during the Department's intake process.

18 The information gathered using either method shall also be broken down by Covered
19 Department Facility to determine whether 5 percent or more of those persons who use
20 the Department's services at a Covered Department Facility are limited English
21 speaking persons who speak a shared language other than English for purposes of
22 Section 89.2(d) of this Article. Departments may not use any other method unless
23 approved prior to its use by the Commission.

24 (k) "Tier 1 Departments" shall mean the following City departments: Adult
25 Probation Department, Department of Consumer Assurance; Department of Elections,

1 Department of Human Services, Department of Parking and Traffic, Department of
2 Public Health, Department of Public Transportation, District Attorney's Office,
3 Emergency Communications Department, Fire Department, Juvenile Probation
4 Department, Police Department, Public Defender's Office, Department of Aging and
5 Adult Services, Rent Stabilization and Arbitration Board, and Sheriff's Office.

6 (l) "Tier 2 Departments" shall mean all City departments not specified as Tier 1
7 Departments that furnish information or provide services directly to the public and
8 consist of at least 30 full-time City employees.

9
10 **SEC. 89.4. Translation of Materials.**

11 Tier 1 Departments shall translate the following written materials that provide vital
12 information to the public about the Department's services or programs into the
13 language(s) spoken by a Substantial Number of Limited English Speaking Persons;
14 applications or forms to participate in a Department's program or activity or to receive
15 its benefits or services; written notices of rights to, determination of eligibility of, award
16 of, denial of, loss of, or decreases in benefits or services, including the right to appeal
17 any Department's decision; written tests that do not assess English language
18 competency, but test competency for a particular license or skill for which knowledge of
19 written English is not required; notices advising limited English-proficient persons of
20 free language assistance; materials explaining a Department's services or programs;
21 complaint forms; or any other written documents that have the potential for important
22 consequences for an individual seeking services from or participating in a program of a
23 city department.
24
25

1 (b) Tier 2 Departments shall translate all publicly-posted documents that provide
2 information (1) regarding Department services or programs, or (2) affecting a person's
3 rights to, determination of eligibility of, award of, denial of, loss of, or decreases in
4 benefits or services into the language(s) spoken by a Substantial Number of Limited
5 English Speaking Persons.

6 (c) Departments required to translate materials under the provisions of this
7 Section shall post notices in the public areas of their facilities in the relevant
8 language(s) indicating that written materials in the language(s) and staff who speak the
9 language(s) are available. The notices shall be posted prominently and shall be readily
10 visible to the public.

11 (d) Departments required to translate materials under the provisions of this
12 Section shall ensure that their translations are accurate and appropriate for the target
13 audience. Translations should match literacy levels of the target audience.

14 (e) Each Department shall designate a staff member with responsibility for
15 ensuring that all translations of the Department's written materials meet the accuracy
16 and appropriateness standard set in Subsection (d) of this Section. Departments are
17 encouraged to have their staff check the quality of written translations, but where a
18 Department lacks biliterate personnel, the responsible staff member shall obtain quality
19 checks from external translators. Departments are also encouraged to solicit feedback
20 on the accuracy and appropriateness of translations from bilingual staff at community
21 groups whose clients receive services from the Department.

22 (f) Departments shall comply with the requirements of this Section within one
23 year of the enactment of this Article.

24 **SEC. 89.5. Dissemination of Translated Materials from the State and**
25 **Federal Government.** If the State or federal government or any agency thereof makes

1 available to a Department written materials in a language other than English, the
2 Department shall maintain an adequate stock of the translated materials and shall
3 make them readily available to persons who use the Department's services.

4 **SEC. 89.6. Public Meetings and Hearings**

5 (a) City Boards, Commissions and Departments shall not be required to
6 translate meeting notices, agendas, or minutes.

7 (b) Oral interpretation of any public meeting or hearing held by a City Board,
8 Commission or Department shall be provided if requested at least 48 hours in advance
9 of the meeting or hearing in question.

10 **SEC. 89.7. Recorded Telephonic Messages.** All Departments with recorded
11 telephonic messages about the Department's operation or services shall maintain such
12 messages in each language spoken by a Substantial Number of Limited English
13 Speaking Persons or where applicable a Concentrated Number of Limited English
14 Speaking Persons. Such Departments are encouraged to include in the telephonic
15 messages information about business hours, office location(s), services offered and the
16 means of accessing such services, and the availability of language assistance. If the
17 Department is governed by a commission, the messages shall include the time, date,
18 and place of the commission's meetings.

19 **SEC. 89.8. Complaint Procedure.** (a) Departments shall allow persons to
20 make complaints alleging violation of this Article to the Department in each language
21 spoken by a Substantial Number of Limited English Speaking Persons. The complaints
22 may be made by telephone or by completing a complaint form.

23 (b) Departments shall document actions taken to resolve each complaint and
24 maintain copies of complaints and documentation of their resolution for a period of not
25

1 less than 5 years. A copy of each complaint shall be forwarded to the Commission
2 within 30 days of its receipt.

3 **SEC. 89.9. Compliance Plans.** (a) Each Department shall draft and file with
4 the Commission an annual compliance plan. Each Department shall file its first plan
5 within 90 days of the enactment of this Article to assess what actions the Department
6 needs to take to come into compliance. Thereafter, each Department shall file a plan
7 by February 1 of each year.

8 (b) Each plan filed by a Department shall contain the following information:

9 (1) The number and percentage of limited English speaking persons who actually use
10 the Department's services citywide, listed by language other than English, using either
11 method in Section 89.2(j) of this Article;

12 (2) The number and percentage of limited English speaking residents of each District in
13 which a Covered Department Facility is located and persons who use the services
14 provided by a Covered Department Facility, listed by language other than English,
15 using either method in Section 89.2(j) of this Article;

16 (3) The number of Public Contact Positions in the Department;

17 (4) The number of Bilingual Employees in Public Contact Positions, their titles, office
18 locations, the language(s) other than English that the persons speak,

19 (5) A description of any use of telephone-based interpretation services, including the
20 number of times such services were used and the language(s) for which they were
21 used;

22 (6) A narrative assessment of the procedures used to facilitate communication with
23 Limited English Speaking Persons, which shall include an assessment of the adequacy
24 of the procedures;

- 1 (7) A numerical assessment of the additional Bilingual Employees in Public Contact
2 Positions needed to meet the requirements of Section 89.3 of this Article;
- 3 (8) If assessments indicate a need for additional Bilingual Employees in Public Contact
4 Positions to meet the requirements of Section 89.3 of this Article, a description of the
5 Department's plan for filling the positions, including the number of estimated vacancies
6 in Public Contact Positions;
- 7 (9) The name, title, and language(s) other than English spoken (if any) by the staff
8 member designated with responsibility for ensuring the accuracy and appropriateness
9 of translations for each language in which services must be provided under this Article;
- 10 (10) A list of the Department's written materials required to be translated under this
11 Article, the language(s) into which they have been translated, and the persons who
12 have reviewed the translated material for accuracy and appropriateness;
- 13 (11) A description of the Department's procedures for accepting and resolving
14 complaints of an alleged violation of this Article;
- 15 (12) A copy of the written policies on providing services to Limited English Speaking
16 Persons;
- 17 (13) A list of goals for the upcoming year and, for all plans except the first, an
18 assessment of the Department's success at meeting last year's goals; and
- 19 (14) Any other information requested by the Commission necessary for the
20 implementation of this Article.

21 **SEC. 89.10. Recruitment.** It shall be the policy of the City to publicize job
22 openings for Departments' Public Contact Positions as widely as possible including, but
23 not limited to, in ethnic and non-English language media.

24 **SEC. 89.11. Commission Responsibilities.** The Commission shall be
25 responsible for monitoring and facilitating compliance with this Article. Its duties shall

1 include: conducting outreach to Limited English Speaking Persons about their rights
2 under this Article, establishing and implementing a procedure to accept and investigate
3 complaints alleging a violation of this Article; reviewing complaints about alleged
4 violations of this Article forwarded from Departments; working with Departments to
5 resolve complaints; maintaining copies of complaints and their resolution for not less
6 than 8 years, organized by department; coordinating a language bank for Departments
7 that choose to have translation done outside the Department and need assistance in
8 obtaining translators; and reviewing compliance plans.

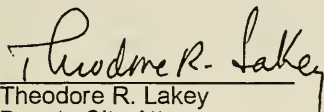
9 **SEC. 89.12. Rules and Regulations.** In order to effectuate the terms of this
10 Article, the Commission may adopt rules and regulations consistent with this Article.

11 **SEC. 89.13. Enforcement.** If after an investigation and attempt to resolve an
12 incidence of Department non-compliance, the Commission is unable to resolve the
13 matter, it shall transmit a written finding of non-compliance, specifying the nature of the
14 non-compliance, to the Department, the Department of Human Resources, the Mayor,
15 and the Board of Supervisors.

16 **SEC. 89.14. Severability.** If any of the provisions of this Article or the
17 application thereof to any person or circumstance is held invalid, the remainder of this
18 Article, including the application of such part or provisions to persons or circumstances
19 other than those to which it is held invalid, shall not be affected thereby and shall
20 continue in full force and effect. To this end, the provisions of this Article are
21 severable.

1 APPROVED AS TO FORM:

2
3 LOUISE H. RENNE, City Attorney

4
5 By: 
6 Theodore R. Lakey
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 010409

Date Passed:

Ordinance amending San Francisco Administrative Code by adding Chapter 89, Sections 89.1, 89.2 and 89.4 through 89.14, to require City departments to offer materials if a substantial or concentrated portion of the public utilizing their services does not speak English effectively because it is not their primary language.

May 29, 2001 Board of Supervisors — DIVIDED

May 29, 2001 Board of Supervisors — AMENDED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Noes: 1 - Hall

Absent: 1 - McGoldrick

May 29, 2001 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 1 - McGoldrick

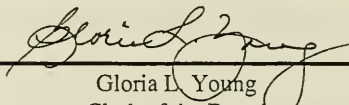
June 4, 2001 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 1 - McGoldrick

File No. 010409

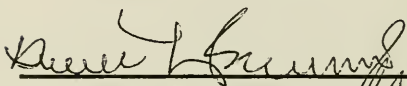
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on June 4, 2001 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

JUN 15 2001

Date Approved



Mayor Willie L. Brown Jr.

ORIGINAL

As Divided in Board
5/29/01

When Stamped In Red

FILE NO. 011051

ORDINANCE NO. 128-01

[Equal Access to City Services For Limited English Speakers]

Ordinance Amending The San Francisco Administrative Code By Adding Chapter 89, Sections 89.3, To Require City Departments To Offer Bilingual Services If A Substantial Or Concentrated Portion Of The Public Utilizing Their Services Does Not Speak English Effectively Because It Is Not Their Primary Language.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings and Purpose. The Board of Supervisors hereby finds and declares that substantial numbers of persons who live, work, and pay taxes in San Francisco are unable to communicate effectively with city departments because their primary language is not English. The Board further finds and declares that city employees are frequently unable to communicate with persons requiring their services because of this language barrier. Consequently, substantial numbers of San Franciscans may be denied rights, benefits, and services to which they are entitled. This Ordinance makes it the policy of the City and County of San Francisco to provide equal access to city services to all San Franciscans, including those with limited proficiency in English. This Ordinance also implements and supplements California's Dymally-Alatorre Bilingual Services Act, Government Code §7290 et seq., which requires state and local public agencies serving a substantial number of limited English-speaking people to provide services and materials in the language(s) spoken by those persons. It is the policy of the City and County of San Francisco to support English proficiency even as the Board of Supervisors supports equal access to services for limited English speaking persons.

Section 2. The San Francisco Administrative Code is hereby amended by adding Section 89.3, to read as follows:

1 **SEC. 89.3. Equal Access to Services.** (a) Utilizing sufficient Bilingual
2 Employees in Public Contact Positions, Departments shall provide information and
3 services to the public in each language spoken by a Substantial Number of Limited
4 English Speaking Persons or to the public served by a Covered Department Facility in
5 each language spoken by a Concentrated Number of Limited English Speaking
6 Persons. Departments comply with their obligations under this Section if they provide
7 the same level of service to Limited English Speaking Persons as they provide English
8 speakers.

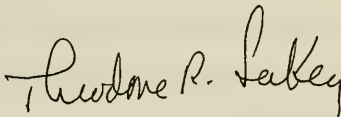
9 (b) Departments need only implement the hiring requirements in this ordinance
10 by filling public contact positions made vacant by retirement or normal attrition.
11 Nothing herein shall be construed to authorize the dismissal of any City employee in
12 order to carry out this ordinance.

13 (c) This Article shall be interpreted and applied so as to be consistent with Title
14 VII of the Civil Rights Act of 1964, California's Fair Employment and Housing Act, and
15 Article X of the San Francisco Charter and so as not to impede or impair the City's
16 obligations to comply with any court order or consent decree.

17
18
19 APPROVED AS TO FORM:

20 LOUISE H. RENNE, City Attorney

21
22
23 By:



24 Deputy City Attorney
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 011051

Date Passed:

Ordinance amending San Francisco Administrative Code by adding Chapter 89, Section 89.3 to require City departments to offer bilingual services if a substantial or concentrated portion of the public utilizing their services does not speak English effectively because it is not their primary language.

May 29, 2001 Board of Supervisors — PASSED ON FIRST READING AS DIVIDED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Noes: 1 - Hall

Absent: 1 - McGoldrick

June 4, 2001 Board of Supervisors — FINALLY PASSED

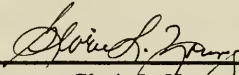
Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Noes: 1 - Hall

Absent: 1 - McGoldrick

File No. 011051

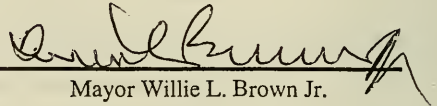
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on June 4, 2001 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

JUN 15 2001

Date Approved



Mayor Willie L. Brown Jr.



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

Notice of Meeting and Agenda

DOCUMENTS DEPT.

Date: August 6, 2001
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Conference Room 400
One Dr. Carlton B. Goodlett Place

JUL 24 2001
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07-24-01A11.10

AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (*Action Item*) (5 minutes)
(Explanatory Documents: Minutes of July meeting)*
- III. Public Comment (*Information Item*) (10 minutes)
- IV. Presentation (15 minutes)
 1. Sally Kinoshita with Southeast Asian Task Force
Provide overview of the latest Supreme Court's cases regarding deportation and indefinite detention of legal immigration
 2. Isabel Alegria with California Immigrant Welfare Collaborative (15 minutes)
(Provide update on Assembly Bill 989 on welfare to legal immigrants)
- V. Future Activity (*Action Items*) (20 minutes)
 1. Celebration of the 4th year anniversary for the IRC
(Welcoming new members & appreciation for the outgoing Commissioners)
 2. Calendaring for neighborhood meetings (Annual planning)
- VI. The Director's report (15 minutes)
 1. Status of Commissioner Membership
 2. Draft of job description (Explanatory Documents)
 3. Commission Website
 4. Summary of Existing In-House Translation Programs (Explanatory Documents)
- VII. Report from the Chair (15 minutes)
 1. Expectation of Commissioners' Participation in Commission (*Action Item*)
 2. Committee Structure & Assignments
- VIII. Next Steps (*Discussion Item*) (10 minutes)

Meeting with the of the Board of Supervisors and the Mayor
The Commission submits to the Board of Supervisors and the Mayor the proposed Work Plan & Budget for fiscal year 2002.
- IX. Next Meeting's Agenda (*Discussion Item*) (10 minutes)
- X. Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapters 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, please contact:

Donna Hall, Clerk
Sunshine Ordinance Task Force
City Hall – Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
(415) 554-7724 (Office)
(415) 554-5163 (Fax)
E-mail: donna_hall@ci.sf.ca.us

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

* Copies of explanatory documents are available to the public on the Commission's webpage: www.ci.sf.ca.us/immigrant/meeting.html; or, upon request to the Commission Secretary, at the above address or phone number.

DISABILITY ACCESS

The Immigrant Rights Commission meeting will be held in Room 416 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco.

The meeting location is between Grove and McAllister Streets and is wheelchair accessible. The closest BART and Muni Metro Station is Civic Center, about three blocks from the meeting location. Accessible Muni lines nearest the meeting location are:

42 Downtown Loop
49 Van Ness-Mission
F-Market & Muni Metro (Civic Center Station)

For more information about Muni accessible services call (415) 923-6142.

There is accessible on-street parking available in the vicinity of the meeting location.

For assistance with special needs (large print agendas, sign language interpreters, etc.) call Dang Pham at (415) 554-7583.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that others may be sensitive to various chemical based products. Please help the City accommodate these individuals.

LOBBYIST ORDINANCE

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (Administrative Code Section 16.520-534) to register and report lobbying activity.

For more information about the Lobbyist Ordinance, contact the Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, (415) 554-9510, FAX (415) 703-1021, or visit their web site at <http://www.ci.sf.ca.us/ethics>

JUL 24 2001

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Immigrant Rights Commission
Minutes of Regular Meeting on July 2, 2001

The Immigrant Rights Commission (IRC) regular meeting was held on Monday, July 2, 2001 at San Francisco City Hall in Room 400, at 5:00 P.M.

Members Present Renee Saucedo, Penelope Chronis, Samuel Assefa, Vera Haile, Isabel Huie, Diana Lau, Richard Ow, Emi Gusukuma and Phu Nguyen.

Members Absent Vram Kouramajian and Fidel Jimenez.

Others Present Dang Pham, Executive Director of the IRC
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

Sunshine

Ordinance: Dorji Roberts, Deputy City Attorney gave the Commissioners an overview of the requirements of the Sunshine Ordinance.

Presentation: Ted Wang, Director of Policy for Chinese Affirmative Action, gave a presentation to the Commissioners on the passage of the Language Access to Service Ordinance and its implementation. The rights embodied in Language Access Ordinance has been protected by Federal & State Law. Under Title 6 of the Civil Rights Act of 1964, any recipients, including governmental and private entities, of federal funding are prohibited from implementing policies that restrict access to services provided based on language. Under State Law, the Dymally-Altorre bilingual service statute was passed in 1973. The Dymally-Altorre Statute requires all government agencies to make their services available to people who are not fluent in English. The purpose of the Language Access Ordinance is to establish consistent standards for the provision of services to those who are not proficient in English and would apply to all City Departments.

Vivek Malhotra, Policy Advocate for Chinese Affirmative Action prepared a 3 page summary of the ordinance. Under the ordinance, City Departments are divided into two categories, Tier 1 and Tier 2. Eighteen (18) that provide the most critical services & public contact are classified as Tier 1 Department. The Tier 1 Departments are required to translate all vital governmental documents into the languages that are

spoken by at least 10,000 limited English proficient (LEP) residents or 5 percent of the clients served by the department. According to 1990 Census, only two languages that meet the citywide threshold are Spanish and Chinese. Vital documents include those that describe services provided by departments, any applications and notices that affect the rights of individuals.

Tier 2 are all other City department with 30 or more full-time employee that furnish information or provide services directly to the public. The Tier 2 Departments are only required to translate a limited category of publicly-posted documents affects a person's rights and those that explain services provided by the Department.

In certain situations, the ordinance requires City Departments to translate documents and/or provide oral translation in additional languages. For supervisorial district that consists of 5% or more Limited English-Proficient (LEP) Person, City Departments have an obligation to also provide oral translation in the language of the LEP. If a local office of a City Department services more than 5% of LEP that share a common language, they are also required services to be accessible to these people.

Most of the city departments had to absorb the costs of implementing this ordinance, because there are no independent funding sources.

The Immigrant Rights Commission (IRC) responsible for monitoring compliance with the ordinance and to provide technical assistance to City Departments regarding the implementation of the ordinance. One year after the effective date of the ordinance, the IRC will begin to monitor and enforce the ordinance. The IRC should develop some model forms & plans, brochures that other departments could use in developing implementation strategies.

Approval of Minutes:

Commissioners proposed to amend the minutes as follows:

Correction on Commissioner Gusukuma name & correct some grammatical errors. Corrections to the 5th paragraph as follows:

Commissioner Haile suggested that the Immigrant Rights Commission write a thank you letter to all the organizations, such as Lawyers Community for Civil rights, Chinese for Affirmative Action, CADC, Employment Law Center and LA RAZA Centro Legal that supported the passage of the Language Access Ordinance. Commissioner Chronis volunteers to draft the letter these community-based organizations for their support.

Commissioner Chronis moved to adopt the Minutes as amended & was seconded by Commissioner Gusukuma. The Commission unanimously approved the minutes of July 2, 2001 meeting, as amended.

Discussion: Commissioner Nguyen gave the commission some background regarding the Human Rights in Vietnam. He wanted the IRC to urge the Mayor & the Board of Supervisors to support a resolution. The Deputy City Attorney advised the Commission that the subject matter is beyond the scope of the Commission's authority.

Director's Report: Director Pham reported to the Commission about status on the membership, 19 applications were submitted to the Rules Committee. The meeting considering these applications was held on Thursday, June 21, 2001 at 1:00 p.m. Six seats were up for consideration. Three (3) of the existing Commissioners were re-appointed to their seats. They are: Emi Gusukuma, Vram Kouramajian & Phu Nguyen. The Rules Committee appointed two (2) new individuals. They are: Marcos Eusebio Gutierrez & Joseph Nwadibia.

Director Pham would like to invite Sally Kinoshita with the Southeast Asian Task Force, to discuss about the deportation issues. He has sat in various meetings where they talked about issues relating to immigrants.

Future Activity: Director Pham discussed about the 4th Anniversary. He wanted to have a gathering of all Commissioners (new members and the outgoing) of the Immigrant Rights Commission. He also proposed to present a certificate of honor to the outgoing commissioners. Commissioner Chair Lau proposed to the Director to get the date, places & fees needed to have this gathering. Commissioner Ow made a motion to celebrate the Immigrant Rights Commission's 4th Anniversary, which was seconded by Commissioner Haile. The Commission unanimously approved the celebration of the Immigrant Rights Commission Anniversary.

Commission Chair Lau also emphasize the need to conduct some public meetings in the neighborhoods in San Francisco.

Next Meeting: Next regular meeting will be held in City Hall, on August 6, 2001 at 5:00 p.m.

Adjournment: The Commission meeting was adjourned at 7:15 p.m.

DOCUMENTS DEPT.

Equal Access to Services Ordinance

JUL 24 2001

Legislative Status:

Finally Passed by Board: June 4, 2001

Signed by Mayor: June 15, 2001

Effective Date of Enactment: July 15, 2001

SAN FRANCISCO
PUBLIC LIBRARYSummary:

The Equal Access to Services Ordinance requires City departments to provide their services in languages other than English when 10,000 city residents, 5 percent or more of the clients served by the department, or 5 percent of the residents of the supervisorial district in which the departments' offices are located, are limited-English proficient (LEP) and share a primary language. The major services affected by the ordinance are spoken language services, and written translation of government documents. In addition, departments are required to submit a compliance plan to ensure that they are meeting their obligations under the Ordinance.

Spoken Language Services

The ordinance requires each City department with at least 30 full-time City employees to provide information and services to the public, not only in English, but also in the languages spoken by at least 10,000 LEP residents or 5 percent of the clients served by the department. [Section 89.3.] According to 1990 Census results (2000 Census data on language proficiency will not be available until 2002), the languages that fall under the broad, citywide 10,000 persons category are Spanish and Chinese (specifically Cantonese).

Also, a local office of a City department that provides direct services to the public and serves as the workplace for 5 or more full-time City employees must additionally provide information and services to the public in the languages spoken by at least 5 percent of the population of the supervisorial district in which the facility is located or at least 5 percent of the clients served by the local office, when either of those constituencies is LEP and shares a primary language other than English. [Section 89.3.]

In order to comply with the spoken language component of the Ordinance, departments must utilize sufficient numbers of bilingual staff in public contact positions (made vacant by retirement or attrition – no existing employee would be dismissed to implement this ordinance). A public contact position is defined in the ordinance as “a position in which a primary job responsibility consists of meeting, contacting, and dealing with the public in the performance of the duties of that position.” [Section 89.2(i).] The standard for determining whether departments are in compliance with this requirement of the Ordinance is whether they “provide the same level of service to Limited English Speaking Persons as they provide English speakers.” [Section 89.3(a).] The Ordinance does not preclude the use of other means (such as language translation telephone lines) to communicate with the public in non-English languages in order to supplement bilingual staffing.

Written Translation

The Ordinance also requires City departments that provide extensive public services (enumerated in the Ordinance as Tier 1 departments¹) to translate vital governmental documents into the languages spoken by at least 10,000 LEP residents or 5 percent of the clients served by the department. [Section 89.4.] Again, according to 1990 Census results, the only two languages that meet the citywide threshold are Spanish and Chinese. There are eight categories of "vital documents" designated in the ordinance for translation by Tier 1 departments.

All other City departments that furnish information or provide services directly to the public and that consist of at least 30 full-time City employees (called Tier 2 departments) are required only to translate a limited category of publicly-posted documents or notices. [Section 89.4(b).]

Compliance

Each City department with at least 30 full-time City employees is required to draft and file with the Immigrant Rights Commission an annual compliance plan. The first plan must be filed within 90 days of enactment of the Ordinance to assess what actions the Department needs to take to come into compliance. The deadline for this initial compliance plan is October 15, 2001 (the 90th day after enactment is October 13, a Saturday). Thereafter, each department must file its compliance plan by February 1 of each year. The compliance plan is a detailed document that contains 14 different categories of information, as enumerated in the Ordinance [Section 89.9].

Role of Immigrants Rights Commission:

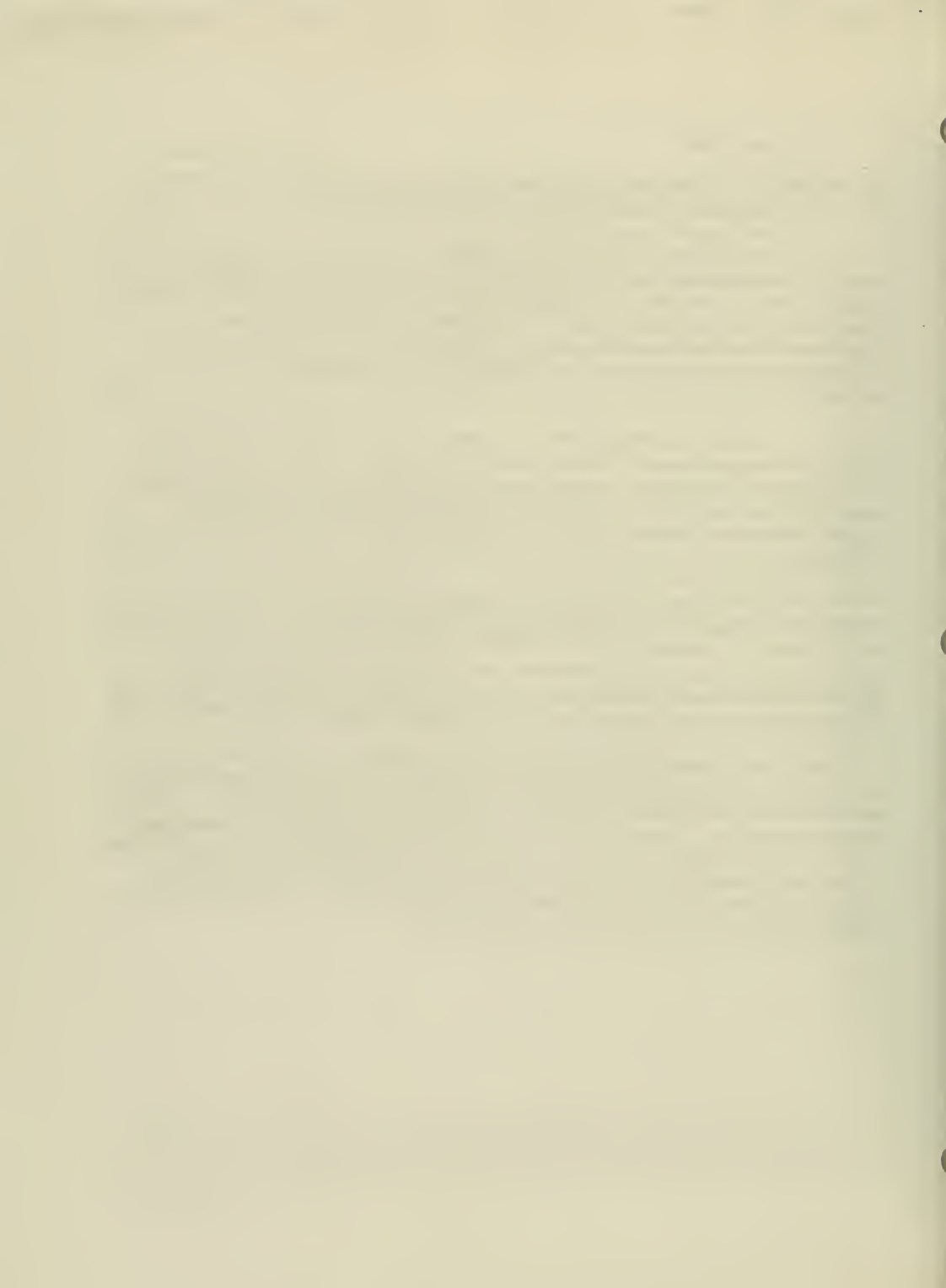
The Immigrants Rights Commission is charged with monitoring compliance with the Ordinance. The main responsibilities of the Commission are to (1) review department compliance plans; (2) coordinate a language translation bank or identify a pool of translators for departments that rely on outside translators and need the assistance of the Commission; (3) establish and implement a procedure to accept and resolve complaints about departments' failures to comply with the requirements of the Ordinance; and (4) conduct outreach to LEP residents about their rights under the Ordinance. [Section 89.11.]

¹ "Tier 1 Departments" are defined in the Ordinance as the following departments: Adult Probation Department, Department of Consumer Assurance, Department of Elections, Department of Human Services, Department of Parking and Traffic, Department of Public Health, Department of Public Transportation, District Attorney's Office, Emergency Communications Department, Fire Department, Juvenile Probation Department, Police Department, Public Defender's Office, Department of Aging and Adult Services, Rent Stabilization and Arbitration Board, and Sheriff's Office.

Immediate Needs

The Commission must take the lead in facilitating departmental compliance with the Ordinance. Following is a suggested immediate action plan to begin the process:

1. Send an initial introductory letter to all Tier 1 departments. The letter should (1) summarize the major requirements of the Ordinance, (2) request departments to identify a designated staff person within each department who will be principally responsible for ensuring compliance with the Ordinance [as required by the Ordinance, Sec. 89.4(e)]; (3) alert departments to the initial compliance plan deadline (October 15), and (4) ask departments to identify any technical assistance they need in order to come into compliance with their obligations.
2. Research model governmental language translation programs and develop an expertise in translation resources in order to coordinate a pool of qualified translators for use by City departments. For instance, Washington state has an effective language translation bank. Ideally, the Commission will be able to negotiate competitive rates for translation and to establish a certification standard to ensure that quality translation is provided to City departments.
3. Establish relationships with designated staff members from critical City departments, such as Department of Public Health, Department of Human Resources, Police and Fire Departments, to monitor compliance efforts throughout the year. Currently, Jeanne Zarka of DHS, and Norm Nickens of DPH, are both beginning the process of assembling internal departmental task forces on language access. Mr. Nickens has also indicated that DPH is in the process of creating an internal implementation plan specifically related to the Ordinance.
4. Determine which staff person in the City Planning Department will be principally responsible for gathering the necessary Census data about the LEP population in the City and in each of the supervisorial districts. Departments will need this data to determine bilingual hiring needs in local offices. Strongly urge the Planning Department to provide the Commission and City departments with this data as soon as possible since departments will need the information for their initial compliance plans, due on October 15. The aggregate 1990 Census data on language proficiency is available from the state Department of Finance. 2000 Census data on language proficiency will not be available until next year.



ORIGINAL

When Stamped In Red

AS DIVIDED IN BOARD

5/29/01

AS AMENDED IN BOARD

5/29/01

FILE NO. 010409

ORDINANCE NO. 126-01

[Equal Access to City Services For Limited English Speakers]

Ordinance Amending The San Francisco Administrative Code By Adding Chapter 89, Sections 89.1, 89.2 and 89.4 through 89.14, To Require City Departments To Offer Materials If A Substantial Or Concentrated Portion Of The Public Utilizing Their Services Does Not Speak English Effectively Because It Is Not Their Primary Language.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings and Purpose. The Board of Supervisors hereby finds and declares that substantial numbers of persons who live, work, and pay taxes in San Francisco are unable to communicate effectively with city departments because their primary language is not English. The Board further finds and declares that city employees are frequently unable to communicate with persons requiring their services because of this language barrier. Consequently, substantial numbers of San Franciscans may be denied rights, benefits, and services to which they are entitled.

This Ordinance makes it the policy of the City and County of San Francisco to provide equal access to city services to all San Franciscans, including those with limited proficiency in English. This Ordinance also implements and supplements California's Dymally-Alatorre Bilingual Services Act, Government Code §7290 et seq., which requires state and local public agencies serving a substantial number of limited English-speaking people to provide services and materials in the language(s) spoken by those persons. It is the policy of the City and County of San Francisco to support English proficiency even as the Board of Supervisors supports equal access to services for limited English speaking persons.

DOCUMENTS DEPT

JUL 24 2001

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1 Section 2. The San Francisco Administrative Code is hereby amended by adding
2 Chapter 89, to read as follows:

3 **CHAPTER 89**

4 **EQUAL ACCESS TO SERVICES**

5 Sec. 89.1 Title
6 Sec. 89.2 Definitions
7 Sec. 89.3 Equal Access to Services
8 Sec. 89.4 Translation of Materials
9 Sec. 89.5 Dissemination of Translated Materials from the State and Federal
10 Government
11 Sec. 89.6 Public Meetings and Hearings
12 Sec. 89.7 Recorded Telephonic Messages
13 Sec. 89.8 Complaint Procedure
14 Sec. 89.9 Compliance Plans
15 Sec. 89.10 Recruitment
16 Sec. 89.11 Commission Responsibilities
17 Sec. 89.12 Rules and Regulations
18 Sec. 89.13 Enforcement
19 Sec. 89.14 Severability

20 **SEC. 89.1. TITLE.** This chapter shall be known as the "Equal Access to
21 Services Ordinance."

22 **SEC. 89.2. DEFINITIONS.** As used in this Chapter, the following capitalized
23 terms shall have the following meanings:

24 (a) "Bilingual Employee" shall mean a City employee who is proficient in the
25 English language and a language other than English.

(b) "City" shall mean the City and County of San Francisco.

(c) "Commission" shall mean the Immigrant Rights Commission.

(d) "Concentrated Number of Limited English Speaking Persons" shall mean
either 5 percent of the population of the District in which a Covered Department Facility
is located or 5 percent of those persons who use the services provided by the Covered
Department Facility. The Planning Department shall determine annually whether 5
percent or more of the population of any District in which a Covered Department

1 Facility is located are limited English speaking persons who speak a shared language
2 other than English. The Planning Department shall make this determination by
3 referring to the best available data from the United States Census Bureau or another
4 reliable source and shall certify its determination to all City Departments and the
5 Commission no later than December 1 of each year. Each Department shall determine
6 annually whether 5 percent or more of those persons who use the Department's
7 services at a Covered Department Facility are limited English speaking persons who
8 speak a shared language other than English using either of the following methods
9 specified in Section 89.2(j) of this Article.

10 (e) "Covered Department Facility" shall mean any Department building, office, or
11 location that provides direct services to the public and serves as the workplace for 5 or
12 more full-time City employees.

13 (f) "Departments" shall mean both Tier 1 Departments and Tier 2 Departments.

14 (g) "Districts" shall refer to the 11 geographical districts by which the people of
15 the City elect the members of the City's Board of Supervisors. If the City should
16 abandon the district election system, the Commission shall have the authority to draw
17 district boundaries for the purposes of this Article that are approximately equal in
18 population.

19 (h) "Limited English Speaking Person" shall mean an individual who does not
20 speak English well or is otherwise unable to communicate effectively in English
21 because English is not the individual's primary language.

22 (i) "Public Contact Position" shall mean a position in which a primary job
23 responsibility consists of meeting, contacting, and dealing with the public in the
24 performance of the duties of that position.

1 (j) "Substantial Number of Limited English Speaking Persons" shall mean either
2 10,000 City residents, or 5 percent of those persons who use the Department's
3 services. The Planning Department shall determine annually whether at least 10,000
4 limited English speaking City residents speak a shared language other than English.
5 The Planning Department shall make this determination by referring to the best
6 available data from the United States Census Bureau or another reliable source and
7 shall certify its determination to Departments and the Commission no later than
8 December 1 of each year. Each Department shall determine annually whether 5
9 percent or more of those limited English speaking persons who use the Department's
10 services citywide speak a shared language other than English. Departments shall
11 make this determination using either of the following methods:

12 (1) conducting an annual survey of all contacts with the public made by the Department
13 during a period of at least two weeks, at a time of year in which the Department's public
14 contacts are to the extent possible typical or representative of its contacts during the
15 rest of the year, but before developing its annual compliance plan required by Section
16 89.9 of this Article; or

17 (2) analyzing information collected during the Department's intake process.

18 The information gathered using either method shall also be broken down by Covered
19 Department Facility to determine whether 5 percent or more of those persons who use
20 the Department's services at a Covered Department Facility are limited English
21 speaking persons who speak a shared language other than English for purposes of
22 Section 89.2(d) of this Article. Departments may not use any other method unless
23 approved prior to its use by the Commission.

24 (k) "Tier 1 Departments" shall mean the following City departments: Adult
25 Probation Department, Department of Consumer Assurance; Department of Elections,

1 Department of Human Services, Department of Parking and Traffic, Department of
2 Public Health, Department of Public Transportation, District Attorney's Office,
3 Emergency Communications Department, Fire Department, Juvenile Probation
4 Department, Police Department, Public Defender's Office, Department of Aging and
5 Adult Services, Rent Stabilization and Arbitration Board, and Sheriff's Office.

6 (l) "Tier 2 Departments" shall mean all City departments not specified as Tier 1
7 Departments that furnish information or provide services directly to the public and
8 consist of at least 30 full-time City employees.

9
10 **SEC. 89.4. Translation of Materials.**

11 Tier 1 Departments shall translate the following written materials that provide vital
12 information to the public about the Department's services or programs into the
13 language(s) spoken by a Substantial Number of Limited English Speaking Persons;
14 applications or forms to participate in a Department's program or activity or to receive
15 its benefits or services; written notices of rights to, determination of eligibility of, award
16 of, denial of, loss of, or decreases in benefits or services, including the right to appeal
17 any Department's decision; written tests that do not assess English language
18 competency, but test competency for a particular license or skill for which knowledge of
19 written English is not required; notices advising limited English-proficient persons of
20 free language assistance; materials explaining a Department's services or programs;
21 complaint forms; or any other written documents that have the potential for important
22 consequences for an individual seeking services from or participating in a program of a
23 city department.
24
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1 (b) Tier 2 Departments shall translate all publicly-posted documents that provide
2 information (1) regarding Department services or programs, or (2) affecting a person's
3 rights to, determination of eligibility of, award of, denial of, loss of, or decreases in
4 benefits or services into the language(s) spoken by a Substantial Number of Limited
5 English Speaking Persons.

6 (c) Departments required to translate materials under the provisions of this
7 Section shall post notices in the public areas of their facilities in the relevant
8 language(s) indicating that written materials in the language(s) and staff who speak the
9 language(s) are available. The notices shall be posted prominently and shall be readily
10 visible to the public.

11 (d) Departments required to translate materials under the provisions of this
12 Section shall ensure that their translations are accurate and appropriate for the target
13 audience. Translations should match literacy levels of the target audience.

14 (e) Each Department shall designate a staff member with responsibility for
15 ensuring that all translations of the Department's written materials meet the accuracy
16 and appropriateness standard set in Subsection (d) of this Section. Departments are
17 encouraged to have their staff check the quality of written translations, but where a
18 Department lacks biliterate personnel, the responsible staff member shall obtain quality
19 checks from external translators. Departments are also encouraged to solicit feedback
20 on the accuracy and appropriateness of translations from bilingual staff at community
21 groups whose clients receive services from the Department.

22 (f) Departments shall comply with the requirements of this Section within one
23 year of the enactment of this Article.

24 **SEC. 89.5. Dissemination of Translated Materials from the State and**
25 **Federal Government.** If the State or federal government or any agency thereof makes

1 available to a Department written materials in a language other than English, the
2 Department shall maintain an adequate stock of the translated materials and shall
3 make them readily available to persons who use the Department's services.

4 **SEC. 89.6. Public Meetings and Hearings**

5 (a) City Boards, Commissions and Departments shall not be required to
6 translate meeting notices, agendas, or minutes.

7 (b) Oral interpretation of any public meeting or hearing held by a City Board,
8 Commission or Department shall be provided if requested at least 48 hours in advance
9 of the meeting or hearing in question.

10 **SEC. 89.7. Recorded Telephonic Messages.** All Departments with recorded
11 telephonic messages about the Department's operation or services shall maintain such
12 messages in each language spoken by a Substantial Number of Limited English
13 Speaking Persons or where applicable a Concentrated Number of Limited English
14 Speaking Persons. Such Departments are encouraged to include in the telephonic
15 messages information about business hours, office location(s), services offered and the
16 means of accessing such services, and the availability of language assistance. If the
17 Department is governed by a commission, the messages shall include the time, date,
18 and place of the commission's meetings.

19 **SEC. 89.8. Complaint Procedure.** (a) Departments shall allow persons to
20 make complaints alleging violation of this Article to the Department in each language
21 spoken by a Substantial Number of Limited English Speaking Persons. The complaints
22 may be made by telephone or by completing a complaint form.

23 (b) Departments shall document actions taken to resolve each complaint and
24 maintain copies of complaints and documentation of their resolution for a period of not
25

1 less than 5 years. A copy of each complaint shall be forwarded to the Commission
2 within 30 days of its receipt.

3 **SEC. 89.9. Compliance Plans.** (a) Each Department shall draft and file with
4 the Commission an annual compliance plan. Each Department shall file its first plan
5 within 90 days of the enactment of this Article to assess what actions the Department
6 needs to take to come into compliance. Thereafter, each Department shall file a plan
7 by February 1 of each year.

8 (b) Each plan filed by a Department shall contain the following information:

9 (1) The number and percentage of limited English speaking persons who actually use
10 the Department's services citywide, listed by language other than English, using either
11 method in Section 89.2(j) of this Article;

12 (2) The number and percentage of limited English speaking residents of each District in
13 which a Covered Department Facility is located and persons who use the services
14 provided by a Covered Department Facility, listed by language other than English,
15 using either method in Section 89.2(j) of this Article;

16 (3) The number of Public Contact Positions in the Department;

17 (4) The number of Bilingual Employees in Public Contact Positions, their titles, office
18 locations, the language(s) other than English that the persons speak,

19 (5) A description of any use of telephone-based interpretation services, including the
20 number of times such services were used and the language(s) for which they were
21 used;

22 (6) A narrative assessment of the procedures used to facilitate communication with
23 Limited English Speaking Persons, which shall include an assessment of the adequacy
24 of the procedures;

- (7) A numerical assessment of the additional Bilingual Employees in Public Contact Positions needed to meet the requirements of Section 89.3 of this Article;
- (8) If assessments indicate a need for additional Bilingual Employees in Public Contact Positions to meet the requirements of Section 89.3 of this Article, a description of the Department's plan for filling the positions, including the number of estimated vacancies in Public Contact Positions;
- (9) The name, title, and language(s) other than English spoken (if any) by the staff member designated with responsibility for ensuring the accuracy and appropriateness of translations for each language in which services must be provided under this Article;
- (10) A list of the Department's written materials required to be translated under this Article, the language(s) into which they have been translated, and the persons who have reviewed the translated material for accuracy and appropriateness;
- (11) A description of the Department's procedures for accepting and resolving complaints of an alleged violation of this Article;
- (12) A copy of the written policies on providing services to Limited English Speaking Persons;
- (13) A list of goals for the upcoming year and, for all plans except the first, an assessment of the Department's success at meeting last year's goals; and
- (14) Any other information requested by the Commission necessary for the implementation of this Article.

SEC. 89.10. Recruitment. It shall be the policy of the City to publicize job openings for Departments' Public Contact Positions as widely as possible including, but not limited to, in ethnic and non-English language media.

SEC. 89.11. Commission Responsibilities. The Commission shall be responsible for monitoring and facilitating compliance with this Article. Its duties shall

1 include: conducting outreach to Limited English Speaking Persons about their rights
2 under this Article, establishing and implementing a procedure to accept and investigate
3 complaints alleging a violation of this Article; reviewing complaints about alleged
4 violations of this Article forwarded from Departments; working with Departments to
5 resolve complaints; maintaining copies of complaints and their resolution for not less
6 than 8 years, organized by department; coordinating a language bank for Departments
7 that choose to have translation done outside the Department and need assistance in
8 obtaining translators; and reviewing compliance plans.

9 **SEC. 89.12. Rules and Regulations.** In order to effectuate the terms of this
10 Article, the Commission may adopt rules and regulations consistent with this Article.

11 **SEC. 89.13. Enforcement.** If after an investigation and attempt to resolve an
12 incidence of Department non-compliance, the Commission is unable to resolve the
13 matter, it shall transmit a written finding of non-compliance, specifying the nature of the
14 non-compliance, to the Department, the Department of Human Resources, the Mayor,
15 and the Board of Supervisors.

16 **SEC. 89.14. Severability.** If any of the provisions of this Article or the
17 application thereof to any person or circumstance is held invalid, the remainder of this
18 Article, including the application of such part or provisions to persons or circumstances
19 other than those to which it is held invalid, shall not be affected thereby and shall
20 continue in full force and effect. To this end, the provisions of this Article are
21 severable.

1 APPROVED AS TO FORM:

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3 LOUISE H. RENNE, City Attorney

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5 By: Theodore R. Lakey
6 Theodore R. Lakey
7 Deputy City Attorney
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 010409

Date Passed:

Ordinance amending San Francisco Administrative Code by adding Chapter 89, Sections 89.1, 89.2 and 89.4 through 89.14, to require City departments to offer materials if a substantial or concentrated portion of the public utilizing their services does not speak English effectively because it is not their primary language.

May 29, 2001 Board of Supervisors — DIVIDED

May 29, 2001 Board of Supervisors — AMENDED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Noes: 1 - Hall

Absent: 1 - McGoldrick

May 29, 2001 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 1 - McGoldrick

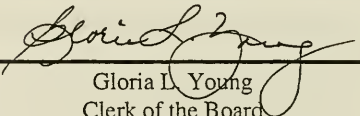
June 4, 2001 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee

Absent: 1 - McGoldrick

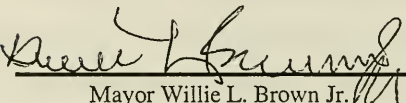
File No. 010409

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on June 4, 2001 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

JUN 15 2001

Date Approved


Mayor Willie L. Brown Jr.

FILE NO. 011051

ORDINANCE NO. 128-01

[Equal Access to City Services For Limited English Speakers]

Ordinance Amending The San Francisco Administrative Code By Adding Chapter 89, Sections 89.3, To Require City Departments To Offer Bilingual Services If A Substantial Or Concentrated Portion Of The Public Utilizing Their Services Does Not Speak English Effectively Because It Is Not Their Primary Language.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings and Purpose. The Board of Supervisors hereby finds and declares that substantial numbers of persons who live, work, and pay taxes in San Francisco are unable to communicate effectively with city departments because their primary language is not English. The Board further finds and declares that city employees are frequently unable to communicate with persons requiring their services because of this language barrier. Consequently, substantial numbers of San Franciscans may be denied rights, benefits, and services to which they are entitled. This Ordinance makes it the policy of the City and County of San Francisco to provide equal access to city services to all San Franciscans, including those with limited proficiency in English. This Ordinance also implements and supplements California's Dymally-Alatorre Bilingual Services Act, Government Code §7290 et seq., which requires state and local public agencies serving a substantial number of limited English-speaking people to provide services and materials in the language(s) spoken by those persons. It is the policy of the City and County of San Francisco to support English proficiency even as the Board of Supervisors supports equal access to services for limited English speaking persons.

Section 2. The San Francisco Administrative Code is hereby amended by adding Section 89.3, to read as follows:

1 **SEC. 89.3. Equal Access to Services.** (a) Utilizing sufficient Bilingual
2 Employees in Public Contact Positions, Departments shall provide information and
3 services to the public in each language spoken by a Substantial Number of Limited
4 English Speaking Persons or to the public served by a Covered Department Facility in
5 each language spoken by a Concentrated Number of Limited English Speaking
6 Persons. Departments comply with their obligations under this Section if they provide
7 the same level of service to Limited English Speaking Persons as they provide English
8 speakers.

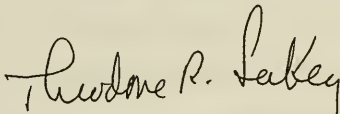
9 (b) Departments need only implement the hiring requirements in this ordinance
10 by filling public contact positions made vacant by retirement or normal attrition.
11 Nothing herein shall be construed to authorize the dismissal of any City employee in
12 order to carry out this ordinance.

13 (c) This Article shall be interpreted and applied so as to be consistent with Title
14 VII of the Civil Rights Act of 1964, California's Fair Employment and Housing Act, and
15 Article X of the San Francisco Charter and so as not to impede or impair the City's
16 obligations to comply with any court order or consent decree.
17
18

19 APPROVED AS TO FORM:

20 LOUISE H. RENNE, City Attorney

21
22
23 By:



24 Deputy City Attorney
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 011051

Date Passed:

Ordinance amending San Francisco Administrative Code by adding Chapter 89, Section 89.3 to require City departments to offer bilingual services if a substantial or concentrated portion of the public utilizing their services does not speak English effectively because it is not their primary language.

May 29, 2001 Board of Supervisors — PASSED ON FIRST READING AS DIVIDED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval,
Yee

Noes: 1 - Hall

Absent: 1 - McGoldrick

June 4, 2001 Board of Supervisors — FINALLY PASSED

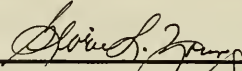
Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval,
Yee

Noes: 1 - Hall

Absent: 1 - McGoldrick

File No. 011051

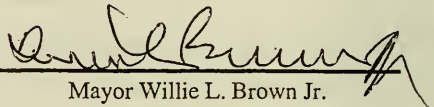
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on June 4, 2001 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

JUN 15 2001

Date Approved



Mayor Willie L. Brown Jr.

AUG 27 2001

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Immigrant Rights Commission
Minutes of Regular Meeting on August 6, 2001

The Immigrant Rights Commission (IRC) regular meeting was held on Monday, August 6, 2001 at San Francisco City Hall in Room 400, at 5:00 P.M.

Members Present Renee Saucedo, Penelope Chronis, Vera Haile, Diana Lau, Richard Ow, Emi Gusukuma, Medea Benjamin, Joseph Nwadiibia, Phu Nguyen and Houston Zheng. Renee Saucedo left at 6:30pm.

Members Absent Samuel Assefa, Isabel Huie, Vram Kouramajian and Fidel Jimenez.

Others Present Dang Pham, Executive Director of the IRC
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

Introduction: Chairperson Diana Lau welcomed & introduced the newly appointed Commissioners Joseph Nwadiibia, Houston Zheng & Medea Benjamin.

Presentation: Isabel Alegria of the California Immigrant Welfare Collaborative (CIWC)¹ gave a presentation to the Commission on the efforts to extend California Food Assistance Program (CFAP) and Cash Assistance Program for Immigrant (CAPI) for immigrants. Governor Davis signed the 2001-2002 State Budget on July 26, 2001, which provided funding for these two programs for the benefit of newly arrived immigrants who might be in need of assistance. The annual fight to maintain these two programs is finally over because the Legislature made these programs permanent and available to any immigrant regardless of the date of entry into the United States. This was achieved through the efforts of many organizations. The support and dedication of each organization and individual made this tremendous victory possible. Ms. Alegria thanked the

¹ CIWC is an umbrella organization that was created after the passage of the immigration welfare and reform laws in 1996 by the U.S. Congress. The goal of the organization is to restore benefits to immigrants in the state of California, that were lost as a result of these federal laws. The membership of the organization includes: The Asian Pacific American Legal Center, The Coalition for Humane and Immigrant Rights of Los Angeles, The National Immigrant Law Center Services, The Immigrant Rights and Education Network of San Jose and the Northern Coalition for Immigrant Rights.

Commission for being very supportive of this effort. However, not all news was good. Ms. Alégria noted that, in making the CAPI program permanent, the Legislature extended the deeming period from 3 – 5 years to 10 years for CAPI.² The extension of the deeming period will cause hardship to many immigrants. So, there are still much work to be done.

Sally Kinoshita, Staff Attorney at the Asian Law Caucus, gave a presentation to the Commission on two recent U.S. Supreme Court decisions on the indefinite detention of immigrant ordered removed and the availability of habeas proceeding for immigrants facing deportation. Before the Supreme Court Decision in *Zadvydas v. Davis*, 121 S. Ct. 2491 (2001), the INS has a practice of indefinitely detaining an alien ordered removed where (1) the United States and the alien's country of origin do not have a repatriation agreement or (2) the alien is stateless. In this recent case, the Supreme Court ruled that INS cannot indefinitely detain aliens ordered removed because such detention would violate the United States Constitution. The case involved two aliens that were ordered removed, one (Mr. Kim Ho Ma) was from Cambodia and one (Mr. Kestutis Zadvydas) was apparently a stateless person. Mr. Ma was born in Cambodia in 1977. He and his family fled Cambodia in 1979 and became a resident alien in the United States in 1984. In 1995, he was convicted of manslaughter and sentenced to 38 months' imprisonment. After serving two years, he was released into INS custody. The INS ordered him removed as a aggravated felon. After holding Mr. Ma for the 90-day mandatory period, the INS continued to hold him in custody because the U.S. and Cambodia did not have a repatriation agreement. Mr. Zadvydas is a resident alien of the U.S. who was born in a German displaced persons camp to Lithuanian parents. While living in the U.S., Mr. Zadvydas had a long criminal record. Most recently, he was convicted of possessing, with intent to distribute cocaine and sentenced to 16 years' imprisonment. After serving two years, he was released on parole into INS custody in 1994. He was ordered deported

² Deeming is the method of determining an immigrant's eligibility for assistance by including the income of the immigrant's sponsor. Under federal law, the immigrant's sponsor is legally obligated to provide financial support to the immigrant for a five-year period.

to Germany. Germany refuse to accept Mr. Zadvydas because he was not a German citizen. Lithuania also refused to accept him because he was neither a Lithuanian citizen nor permanent resident. INS also asked the Dominican Republic to accept him and was rebuffed. Hence, Mr. Zadvydas was in continuous INS detention since 1994. The Supreme Court held that following an issuance of a final order of removal, the INS may detain an alien for a "reasonable" period of time. The Court further held that the first six months of detention following the final order of removal is presumed to be reasonable. However, detention beyond the first six-month period is lawful only if there is a significant likelihood of removal in the reasonably foreseeable future.

In *INS v. St. Cyr*, 01 CDOS 5235 (2001), the Supreme Court ruled the federal court retains jurisdiction to decide the merits of a legal question under the habeas corpus jurisdiction. It also ruled that the Antiterrorism and Effective Death Penalty Act of 1996 and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 cannot be apply retroactively to conduct that occurred before these two acts' enactment.

Ms. Kinoshita informed the Commission that the INS detainees are the fastest growing prison population in the country. Prior to the two acts in 1996, there were under 10,000 in INS detention. There are currently 75 detainees in Northern California, and 375 in all of California.

Ms. Kinoshita introduced Van Do as the Project Coordinator & Kyung Lee is a Community Relations Coordinator for the Asian Law Caucus.

The Asian Law Caucus is playing an active role in the Southeast Asian Immigrant Task Force. The mission of the Southeast Asian Immigration Task Force is to initiate, promote, and advance community organizing and civic participation around immigration issues uniquely affecting the Southeast Asian immigrant community. They are working closely with Rosemarie Fan, the community relation's officer, who is the Community Liaison Officer for the INS to provide community support, housing and job placements for detainees released from INS custody. Commissioner Ow made a motion to invite the INS Director or the Community Liaison, Rosemarie Fan to tell us more about the detainees and what the commission can do to

expedite the release of detainees. The Commission voted to invite the INS to give a presentation on this issue at the September meeting. The Commission asked Ms. Kinoshita to draft a resolution for the Commission's consideration that would urge the INS as to release detainees in an expeditious manner.

Public Comment: Sylvia Lynch, President of Latino Democratic Club voiced a concern to the Commission regarding an alleged English only policy of the Mission District Family Service Agency . The Mission District Family Service Agency is funded by the City to provide services in the Mission district. Lonnie Hicks, director of this agency, has allegedly imposed a policy for its employees to speak English only. Ms. Lynch urged the Commission to send a letter to Mr. Hicks advising him of this concern regarding the language needs in the immigrant communities. The Agency has other branches serving Asian, African American Community and the Vietnamese Communities in the City. The Commission will invite Mr. Hicks to the next Commission meeting to address the issues raised by Ms. Lynch.

**Approval of
Minutes:**

Commissioners Haile made a motion to approve minutes, which was seconded by Commissioner Chronis. The minutes were approved by the Commission.

Future Activity:

Director Pham gave a hand out of a draft of some suggestions he put together for the Commissioners to look over, regarding the Celebration of the 4th year anniversary. The Commission's Open House is scheduled to be on Monday, September 10th from 5pm to 7pm in City Hall, Mayor's conference room in 201. Commissioner Lau wanted some input from the Commissioners on where to hold the next community neighborhood meetings. Director Pham suggests that we hold a neighborhood meeting every 3 months, 4 times a year. Commissioner Lau would like the Commissioners on next meetings to choose 4 out of the list.

Commissioner Benjamin voiced her concerns about the editorial by Lance Izumi opposing in-state tuition for undocumented aliens attending state-run colleges and universities. Commissioner Haile will draft a response to this editorial.

Director's Report: Director Pham updated the Commission about status on the appointment to the Commission. There are currently two positions to be appointed by the Mayor and two positions to be appointed by the Board of Supervisors. Director Pham spoke with Commissioner Kouramajian, he indicated to resign from the commission.

Director Pham is working with the Civil Services Commission to reclassify the Commission secretary's position to a civil service classification.

The Board of Supervisors approved the 40k to add back to the Commission's budget converting the 0.33 FTE position back to full time position for the Commission.

He met with the Webmaster regarding the Commission's website to discuss providing Chinese and Spanish language webpage. The Webmaster told Director Pham that they would need to monitor the traffic of people using and getting information from the website. They have noticed the use of the website is growing and they might need to have an individual to just take care of the Commission's website.

Director Pham also told the Commission that the cost of implementing the Equal Access Ordinance will be absorbed by the Departments.

Chair's Report: Chairperson Lau discussed her expectations of the Commissioner's participation in the Commission's activities. She urged the Commissioners to volunteer and to become actively involve in the various Committees of the Commission. She asked each Commissioner to participate in at least one of the Committee. The Commission will amend the bylaws to add Finance & Operations Committee as a permanent committee. The Chair also expressed what she expected of herself as Chair of the Commission.

Chair Lau also reported to the Commission that she spoke with William Lee, City Administrator, he told her that this is the only Municipal Commission in the whole nation that deals with immigrant issues and that this is the only Commission in the City that has 15 members. Chair Lau also reported that the City Administrator suggested that the Commission perform a survey of the different City departments regarding their language capabilities.

Future Activity: Commissioner Chronis suggested to have the Commission's website address printed on the letterhead & business cards.

The Commission instructed Director Pham to write a letter to invite the District Director of INS or the Community liaison, Rosemarie Fan to give the Commission a presentation on INS detainees and what the Commission can do to expedite the process of releasing the detainees. The Commission also instructed Director Pham to write a letter to Mr. Hicks inviting him to the next Commission meeting to address the issue raised by Ms. Lynch.

Chair Lau also requested her fellow Commissioners to think about sites in the communities where the Commission can hold its meetings. She also asked the commissioners think about which committee they would like to be involved in.

Next Meeting: Due to the Labor Day holiday, the next Commission meeting will be held in City Hall, on September 4, 2001 at 5:00 p.m.

Adjournment: The Commission meeting was adjourned at 7:15 p.m.



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

Notice of Meeting and Agenda

DOCUMENTS DEPT.

Date: September 4, 2001
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Public Hearing Room 400
One Dr. Carlton B. Goodlett Place

AUG 24 2001

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AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (*Action Item*) (5 minutes)
(Explanatory Documents: Minutes of August meeting)*
- III. Public Comment (*Information Item*) (10 minutes)
- IV. Presentation (40 minutes)
 1. Lonnie Hicks (The Mission District Family Service Agency)
 2. Rosemarie Fan INS
- V. Future Activity (*Action Items*) (15 minutes)
 1. Resolution commending the CBOs for their contributions to the passage of the Equal Access to Service Ordinance
 2. Resolution commending former Commissioners Renee Saucedo, Penelope Chronis, Samuel Assefa, Marie Lorraine Mallare, Philip Nguyen, Thou Ny, Fidel Jimenez & Natividad Ramirez for their services to the Commission
 3. Amend Bylaws to add Finance & Operations
(Explanatory Documents)
- VI. The Director's report (15 minutes)
 1. Program Review/of the Celebration Reception Event
- VII. Report from the Chair (*Action Items*) (15 minutes)
 1. Subcommittees
(Commissioners participate in Proposed Committee Structure)
 2. Neighborhood meetings
- VIII. Next Steps (*Discussion Item*) (10 minutes)
- IX. Next Meeting's Agenda (*Discussion Item*) (10 minutes)
- X. Adjournment

For questions about the meeting please contact Winny Loi at 554-4789

City Hall, Room 362, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

TEL (415) 554-4789; FAX (415) 554-6177

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapters 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, please contact:

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Sunshine Ordinance Task Force
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DISABILITY ACCESS

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Attachment A – Amendment to the Bylaw

Article III, Section D is hereby amended as follows (Strikeouts are deletions; underlining are additions):

D. Working Committees:

Each committee established herein shall have the power and duty to hold hearings on and to make recommendation to the Commission on matters that are under its jurisdiction.

Committee members shall be appointed by the Chair of the Commission for two-year term. The Commission shall have the following standing committees: (1) Policy & Legislation; (2) Program & Access; and (3) Finance and Operations. Each committee shall have five (5) members. Each Commissioner shall be expected to serve on at least one committee and is subject to attendance requirements as stated in Article III Section C.

1. Policy & Legislation:

The Policy and Legislation Committee shall jurisdiction over issues involving state and federal legislation related to immigrants;

2. Program & Access:

The Program and Access Committee shall have jurisdiction over issues concerning the promotion of active immigrant participation in local government. This Committee shall jurisdiction over the implementation of the Equal Access to Services Ordinance.

3. Finance and Operations:

The Finance and Operations Committee shall have jurisdiction over all financial matters and operations of the Commission, including without limitations, the development of a budget for the Commission for each fiscal year and personnel matter.

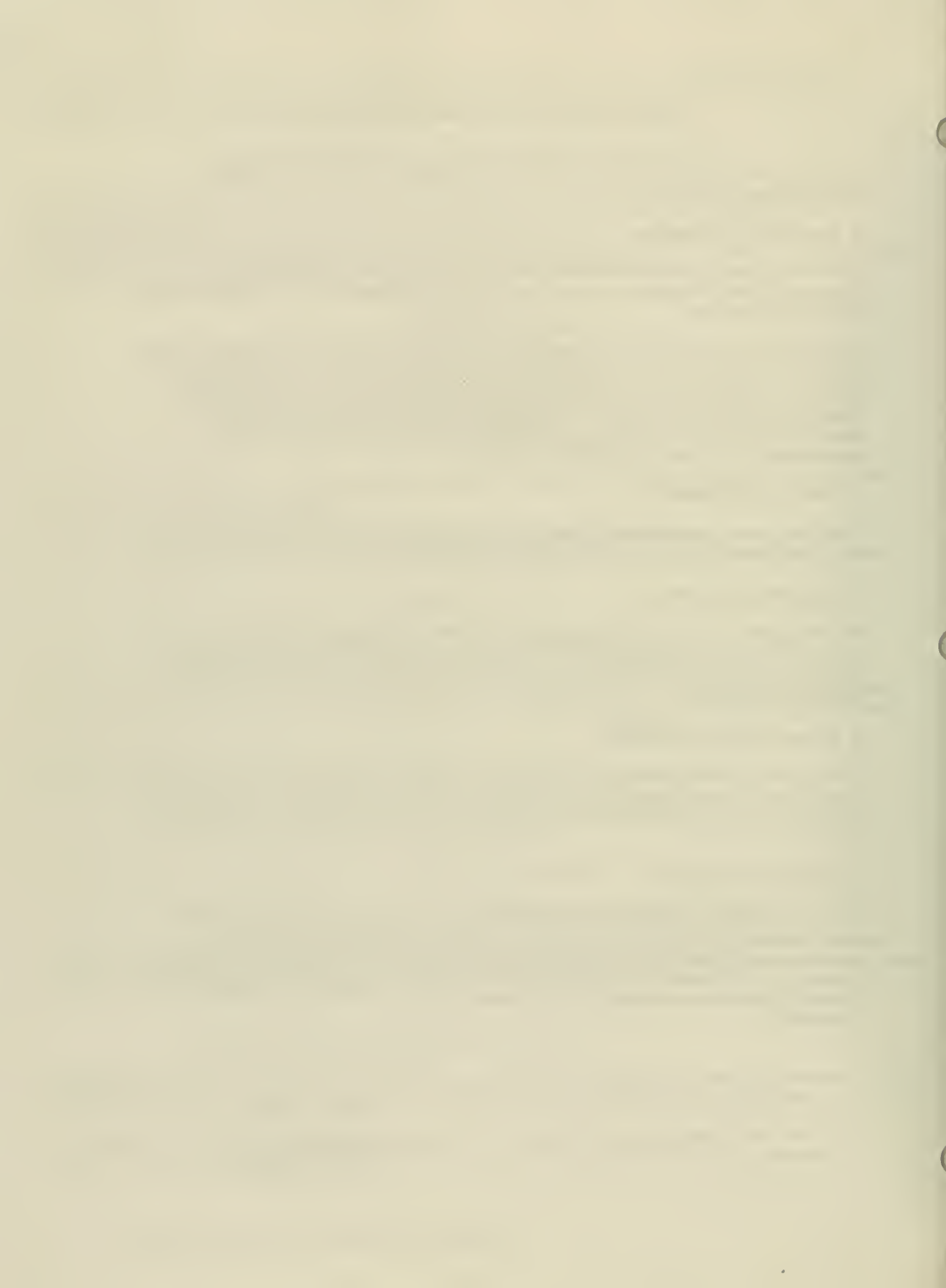
4. Other Committees:

The Commission and/or the Chair, at his or her discretion, may establish other committees or task forces on an ad-hoc basis to perform specific tasks or functions as necessary, or to address issues outside the purview of the above standing committees (e.g. Selection, Welfare Rights, Citizenship/Naturalization). These committees will remain in place as long as the Commission deems necessary.

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4) [Bylaw Amendment Establishing a Finance and Operation Committee of the Commission.]

Resolution amending Article III, Section D of the Immigrant Rights Commission Bylaws to establish a Finance and Operation Committee as a permanent Committee of the Commission and charging this committee with the responsibility of overseeing matters related to the Commission's budget and other financial matters and personnel issues and clarifying the powers and duties of the committees.

WHEREAS, The Immigrant Rights Commission wishes to establish a permanent committee of the Commission to oversee all matter related to the Commission's financial matters and personnel issues; and,

WHEREAS, The Commission wishes to clarify the powers and duties of the committees; and,

WHEREAS, The Commission desires to have each committee to report to the Commission its activities during the Commission meeting; now, therefore, be it

RESOLVED, That The Bylaws of the Commission shall be amended as provided for Attachment A to this Resolution.

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4
[Commendation.]

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Resolution commending Renee Saucedo, Penelope Chronis, Philip Nguyen, Thou Ny, Samuel Assefa, Fidel Jimenez, Marie-Lorraine Mallare, Renato Ecarma & Natividad Ramirez for their service as Commissioner to the Immigrant Rights Commission.

WHEREAS, The Immigrant Rights Commission was established on June 6, 1997; and

WHEREAS, Commissioners Renee Saucedo, Penelope Chronis, Philip Nguyen, Thou Ny, Samuel Assefa, Fidel Jimenez, Marie-Lorraine Mallare, Renato Ecarma & Natividad Ramirez have served on the Commission since its inception; and,

WHEREAS, Through the hard work and dedication of these Commissioners, the Commission has become an effective advocate for immigrants within City government; now, therefore, be it

RESOLVED, That the Commission hereby commends and thanks the following Commissioners for their tireless efforts on behalf of the Commission: Renee Saucedo, Penelope Chronis, Philip Nguyen, Thou Ny, Samuel Assefa, Fidel Jimenez, Marie-Lorraine Mallare, Renato Ecarma & Natividad Ramirez



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4/01
Special

Immigrant Rights Commission
Minutes of Special Meeting on September 4, 2001

The Immigrant Rights Commission (IRC) Special meeting was held on Tuesday, September 4, 2001 at San Francisco City Hall in Room 416, at 5:00 P.M.

Members Present Vera Haile, Diana Lau, Richard Ow, Emi Gusukuma, Medea Benjamin, Joseph Nwadiibia, Phu Nguyen and Houston Zheng Isabel Huie & Marlene Tran. Commissioners Huie and Tran left at 6:20pm. Commissioner Benjamin left at 6:45 pm.

Members Absent Samuel Assefa, Marcos Gutierrez, Penelope Chronis and Vram Kouramajian.

Others Present Dang Pham, Executive Director of the IRC
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

Introduction: Chairperson Diana Lau welcomed & introduced the newly appointed Commissioner Marlene Tran.

Public Comment: Sylvia Lynch, President of Latino Democratic Club and a representative from the Services Employee International Union (SEIU) Local 790, updated the Commission on the concern she raised in the Commission's August meeting regarding an alleged English only policy at the Mission District Family Service Agency. The Union and the clientele served by the agency was able to get Mr. Hicks to come to the table to address the English only and other issues of discrimination and unfair labor practices. Ms. Lynch thanked the Commission for its support and cited the Commission's efforts as a motivating factor for Mr. Hicks to discuss these issues with the Union and the agency's clients.

Commissioner Ow asked Director Pham whether he was successful in contacting Mr. Hicks. Director Pham indicated that he placed two calls to Lonnie Hicks. A Lawyer representing Mr. Hicks responded to the calls. Director Pham asked the City Attorney's Office whether it would be appropriate for Mr. Hicks's representative to address the Commission to these issues. Deputy City Attorney Chan indicated that there is no legal impediment for Mr. Hicks's representative to address the Commission on these issues.

However, neither Mr. Hicks nor his representative was present at the meeting. Because there appears to be movement towards a resolution of the issues, Commission felt that it is best to table this matter. If there is a breakdown in the process to resolve these issues, the Commission or one of its Committee may hold a hearing on this matter in the future.

Kyung Lee of the Asian Law Caucus and Southeast Asian Task Force presented a draft resolution regarding the indefinite detention of immigrants for the Commission to review and consideration for the next month's meeting. She also informed the Commission about an Immigration Town Hall Meeting planned for the 2nd week of October. The purpose of the meeting is to address community concerns regarding the impact of the 1996 Immigration laws. Senators Feinstein and Boxer will be invited to attend, as well as local Bay Area congressional delegation. The date of the meeting is being finalized. If the Commission approves the resolution, she would like to tie this in with the press release for the event. She also asked for the Immigrant Rights Commission's support for this event.

Leon Chow, Field Representative of SEIU Local 250 voiced his concern regarding the employment practices of Wins of California. Wins of California are the largest employer of the Chinese garment workers in San Francisco. They manufacture garments for Sears, Kmart and other retailers. Recently, Department of Labor accused Wins of California of failing to pay its workers for three to four months. Wins of California's facilities were ordered to close. This matter was reported in the newspapers. The owners of Wins of California have launched a media campaign to shift the blame on others. Wins of California has not taken any responsibility for failing to pay its workers. The Asian Law Caucus is working with these workers to recover their back wages, but the owners have been intimidating the worker during their meetings and gatherings to discuss this issue. He asked the Commission for its help and support. Commissioner Ow suggests placing this issue on the agenda for next month. He also suggested to Director Pham to invite Ms. Katie Kwang, Research Professor in Berkeley Union Relationship Department to speak to the Commission

on this issue.

**Approval of
Minutes:**

Commissioners Haile made a motion to approve minutes for the August meeting, which was seconded by Commissioner Gusukuma.

The minutes were approved by the Commission.

Presentation

Neither Mr. Hicks nor his representative was present at the meeting to address the practices of the Mission District Family Service Agency.

Director Pham informed the Commission that Ms. Fan from the INS was unable to attend this meeting but will attend the Commission meeting in October to address the detention issue.

Future Activity:

Commissioners Ow & Tran request Director Pham to ask Ms Fan to bring copies of sample questions for citizenship when she appears for the next month's meeting.

During the consideration of the Resolution commending the community based organizations (CBOs) for their efforts on behalf of the Equal Access to Services Ordinance, Commissioner Ow move to amend the resolution to add the Chinese American Democratic Club (CADC). Also Commissioner Gusukuma asked the staff to make sure that the CBOs' names are spelled correctly. Commissioner Ow made a motion to approve the Resolution, as amended, which was seconded by Commissioner Haile. The Resolution, as amended, was approved by the Commission.

During the Commission's consideration of the Resolution commending the outgoing Commissioners for their efforts on behalf of the Commission, Commissioner Ow asked the Staff whether those being commending includes all former Commissioners or just those who have actively participated in the work of the Commission. Staff informed the Commission that the commendation to only to those former Commissioners that have actively participated in the Commission's work. Commissioner Ow made a motion

approve the Resolution, which was 2nd by Commissioner Haile. The Resolution was approved by the Commission.

Commissioner Ow made a motion to approve the Resolution amending Article III, Section D of the Immigrant Rights Commission Bylaws to establish a Finance and Operation Committee as a permanent Committee of the Commission and charging this committee with the responsibility of overseeing matters related to the Commission's budget and other financial matters and personnel issues and clarifying the powers and duties of the other committees. Commissioner Nwadibia seconded the motion. The resolution was approved by the Commission.

Director's Report: Director Pham gave a hand out of a draft of the program he put together for the Commissioners to look over, regarding the Celebration of the 4th year anniversary. Director Pham updated the Commission about status on the Tier 1 departments compliance with the Equal Access to Services Ordinance. Eleven of the departments have responded to Commission staff's query. The Commission staff will call the other five departments to follow up on status.

Commissioner Ow suggests to the Commission that Former Supervisor Mabel Teng might attend and speak briefly at the reception because she was the initial sponsor of the Equal Access to Services Ordinance. Some Commissioners express concern regarding the length of the Program.

Commissioner Tran proposed to have a brief history on the program translated to Spanish and Chinese.

Chair's Report: Commissioner Lau asked the Commissioners to participate in the proposed committee structure. Commissioners Ow, Nwadibia & Zheng volunteered to be members of the Finance & Operations Committee.

Commissioners Nguyen, Benjamin & Haile volunteered to be members of the Policy & Legislation Committee.

Commissioners Lau, Huie, Gusukuma & Tran volunteered to be members of the Program & Access Committee.

Deputy City Attorney Chan recommended to the Commissioners that the first meeting of the committee would be considered a special meeting and there should be 15 days prior notice. The Committees should adopt a Resolution that sets forth a place and time for the Committees' regular meetings.

She gave the Commissioners a draft of a brochure on the Equal Access to Services Ordinance. She would like some feedback from the commissioners if there were any changes to call her by Thursday.

Commissioner Lau also provided the Commissioners with a draft of a survey to the Tier 1 Departments regarding their compliance with the Equal Access to Services Ordinance. Commissioner Lau asked the other Commissioners to provide her with any feedback by Monday, September 10, 2001.

Next Meeting: The next Commission meeting will be held in City Hall, on October 1, 2001 at 5:00 p.m.

Adjournment: The Commission meeting was adjourned at 6:45 p.m. due to a lack of a quorum.

[Commendation.]

Resolution commending the efforts of Asian Pacific American Labor Alliance, SEIU Local 790, Chinese for Affirmative Action, Employment Law Center, La Raza Centro Legal, Lawyer's Committee for Civil Rights of San Francisco Bay Area, Northern California Coalition for Immigrant Rights, Self Help for the Elderly, Chinese Progressive Association, Chinatown Community Development Center, Asian Women's Shelter, Asian Law Caucus & Chinese American Democratic Club leading to the passage of the Equal Access to Services Ordinance.

WHEREAS, The Equal Access to Services Ordinance, codified in Chapter 91 of the San Francisco Administrative Code will assist immigrants with limited English proficiency in accessing City services; and

WHEREAS, The Ordinance was adopted by the Board of Supervisors and approved by the Mayor on June 15, 2001; and,

WHEREAS, Many Community-Based Organizations have made significant contributions to the drafting and enactment of this Ordinance; now, therefore, be it

RESOLVED, That The San Francisco Immigrant Rights Commission commends the following Community-Based Organizations for their tireless efforts on behalf of the Equal Access to Services Ordinance: Asian Pacific American Labor Alliance, SEIU Local 790, Chinese for Affirmative Action, Employment Law Center, La Raza Centro Legal, Lawyer's Committee for Civil Rights of San Francisco Bay Area, Northern California Coalition for Immigrant Rights, Self Help for the Elderly, Chinese Progressive Association, Chinatown Community Development Center, Asian Women's Shelter, Asian Law Caucus & Chinese American Democratic Club.

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IMMIGRANT RIGHTS COMMISSION

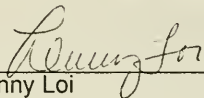
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CERTIFICATION OF SECRETARY

I hereby certify that I am the duly appointed Secretary of the Immigrant Rights Commission and that the above Resolution titled "Resolution Commending the efforts of the Community Bases Organizations leading to the passage of the Equal Access to Services Ordinance," was duly adopted and approved by the Immigrant Rights Commission at a properly noticed special meeting on September 4, 2001.



Winny Loi
Secretary of the Commission

1 [Bylaw Amendment Establishing a Finance and Operation Committee of the
2 Commission.]
3
4
5

6 **Resolution amending Article III, Section D of the Immigrant Rights**
7 **Commission Bylaws to establish a Finance and Operation Committee as a**
8 **permanent Committee of the Commission and charging this committee with**
9 **the responsibility of overseeing matters related to the Commission's budget**
10 **and other financial matters and personnel issues and clarifying the powers**
11 **and duties of the committees.**
12

13 WHEREAS, The Immigrant Rights Commission wishes to establish a
14 permanent committee of the Commission to oversee all matter related to the
15 Commission's financial matters and personnel issues; and,
16

17 WHEREAS, The Commission wishes to clarify the powers and duties of the
18 committees; and,
19

20 WHEREAS, The Commission desires to have each committee to report to
21 the Commission its activities during the Commission meeting; now, therefore, be it
22 RESOLVED, That The Bylaws of the Commission shall be amended as provided
23 for Attachment A to this Resolution.
24
25

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Attachment A – Amendment to the Bylaw

Article III, Section D is hereby amended as follows (Strikeouts are deletions; underlining are additions):

D. Working Committees:

Each committee established herein shall have the power and duty to hold hearings on and to make recommendation to the Commission on matters that are under its jurisdiction.

Committee members shall be appointed by the Chair of the Commission for two-year term. The Commission shall have ~~two~~ the following standing committees: (1) Policy & Legislation; ~~and~~ (2) Program & Access; and (3) Finance and Operations. Each committee shall have ~~at least three~~ five (5) members. Each Commissioner shall be expected to serve on at least one committee and is subject to attendance requirements as stated in Article III Section C.

1. Policy & Legislation:

The Policy and Legislation Committee shall ~~monitor~~ jurisdiction over issues involving state and federal legislation related to immigrants;

2. Program & Access:

The Program and Access Committee shall have ~~general responsibility for Commission recommendations to the Board of Supervisors and the Mayor~~ jurisdiction over issues concerning the promotion of active immigrant participation in local government. ~~The Committee shall also develop an outreach plan to increase public awareness of the contributions made by immigrants in the City and County of San Francisco, and promote the Commission as a resource among nonprofit and community organizations.~~ This Committee shall jurisdiction over the implementation of the Equal Access to Services Ordinance.

3. Finance and Operations:

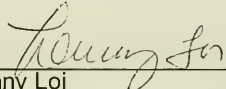
The Finance and Operations Committee shall have jurisdiction over all financial matters and operations of the Commission, including without limitations, the development of a budget for the Commission for each fiscal year and personnel matter.

4. Other Committees:

The Commission and/or the Chair, at his or her discretion, may establish other committees or task forces on an ad-hoc basis to perform specific tasks or functions as necessary, or to address issues outside the purview of the above ~~two~~ standing committees (e.g. ~~Language Access Ordinance, Selection, Welfare Rights, Citizenship/Naturalization~~). These committees will remain in place as long as the Commission deems necessary.

CERTIFICATION OF SECRETARY

I hereby certify that I am the duly appointed Secretary of the Immigrant Rights Commission and that the above Resolution titled "Resolution establishing a Finance and Operations Committee of the Commission" was duly adopted and approved by the Immigrant Rights Commission at a properly noticed regular meeting on September 4, 2001.



Winnie Loi
Secretary of the Commission

1 [Commendation.]
2

3 Resolution commending Renee Saucedo, Penelope Chronis, Philip Nguyen,
4 Thou Ny, Samuel Assefa, Fidel Jimenez, Marie-Lorraine Mallare, Renato
5 Ecarma & Natividad Ramirez for their service as Commissioner to the
6 Immigrant Rights Commission.
7

8 WHEREAS, The Immigrant Rights Commission was established on June 6,
9 1997; and

10 WHEREAS, Commissioners Renee Saucedo, Penelope Chronis, Philip
11 Nguyen, Thou Ny, Samuel Assefa, Fidel Jimenez, Marie-Lorraine Mallare,
12 Renato Ecarma & Natividad Ramirez have served on the Commission since its
13 inception; and,

14 WHEREAS, Through the hard work and dedication of these
15 Commissioners, the Commission has become an effective advocate for immigrants
16 within City government; now, therefore, be it

17 RESOLVED, That the Commission hereby commends and thanks the following
18 Commissioners for their tireless efforts on behalf of the Commission: Renee
19 Saucedo, Penelope Chronis, Philip Nguyen, Thou Ny, Samuel Assefa, Fidel
20 Jimenez, Marie-Lorraine Mallare, Renato Ecarma & Natividad Ramirez.
21

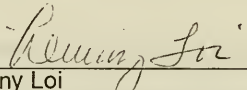
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23 DOCUMENTS DEPT.

24 SEP 18 2001

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CERTIFICATION OF SECRETARY

I hereby certify that I am the duly appointed Secretary of the Immigrant Rights Commission and that the above Resolution titled "Resolution commending the outgoing Commissioners for their service" was duly adopted and approved by the Immigrant Rights Commission at a properly noticed regular meeting on September 4, 2001.



Winny Loi
Secretary of the Commission



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

Notice of Meeting and Agenda

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Date: *✓* October 1, 2001 (Monday)
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Public Hearing Room 400
One Dr. Carlton B. Goodlett Place

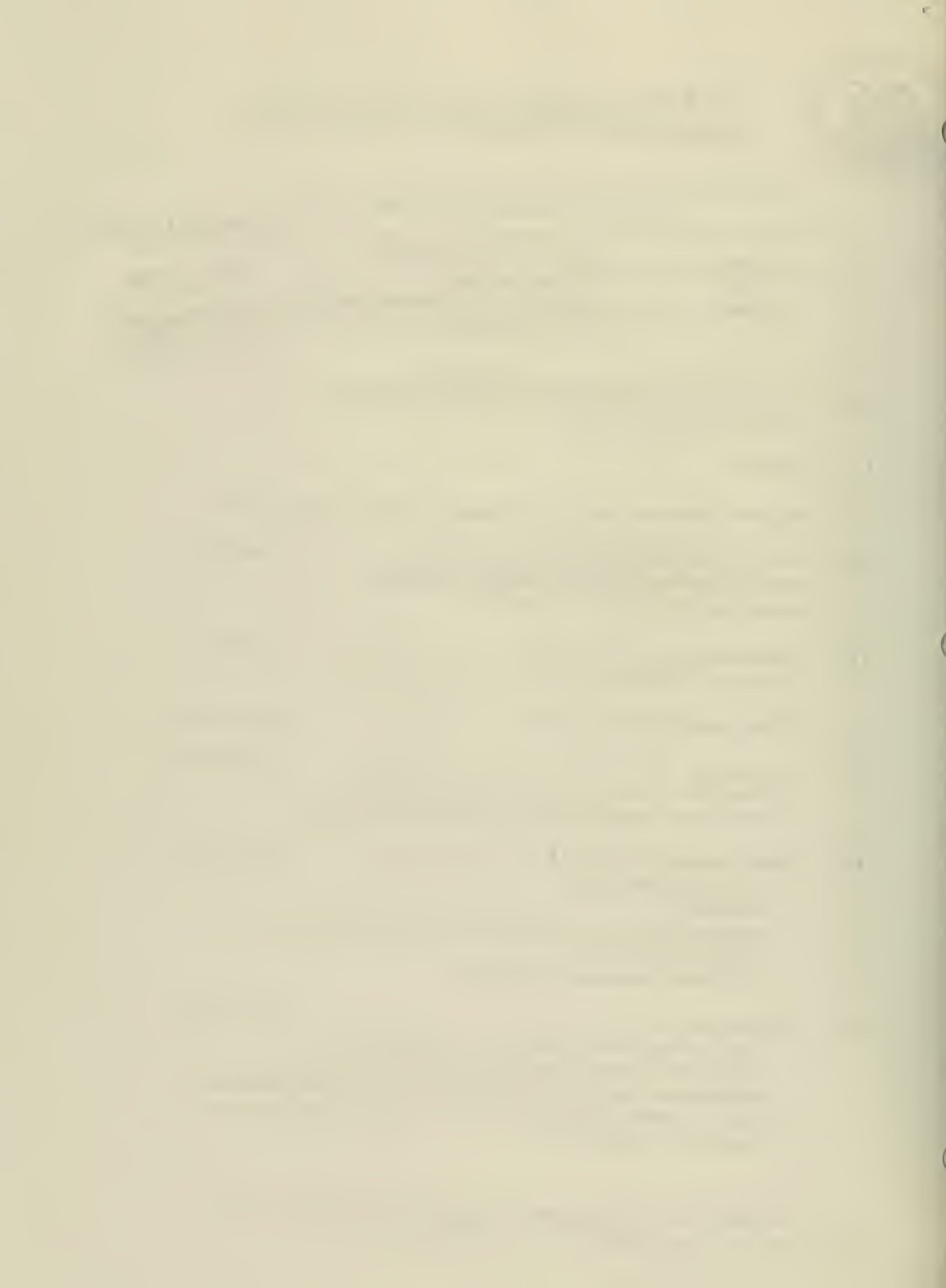
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✓ AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Moment of Silent as a tribute to the September 11, 2001 national tragedy
- III. Draft of the Resolution to address the current (10 minutes)
bashing of Middle Eastern and Muslim Americans
(*Action Item*) (Explanatory Documents)
- IV. Approval of minutes (*Action Item*) (5 minutes)
(Explanatory Documents: Minutes of September meeting)*
- V. Public Comment (*Information Item*) (10 minutes)
- VI. Presentation (30 minutes)
 - 1. Katie Quan - Center for Research & Labor Education
 - 2. Anna Brown - Inspector, San Francisco Police Department
- VII. Future Activity (*Action Items*) (20 minutes)
 - 1. Neighborhood meeting
(*Action item*)
 - 2. Immigrant Pride Day - Information and determination of level of
Commission involvement
(*Action item*)(Explanatory Documents)
- VIII. The Director's report (10 minutes)
 - 1. Equal Access to Service Ordinance - A status report
(Clarification of areas of responsibility between the staff and
commissioners regarding the Equal Access to City Service Ordinance)
 - 2. Plan for Website Update with the Fourth Anniversary event and new
Commissioners information



- IX. **Report from the Chair** (*Action Items*) (20 minutes)
1. Debriefing of the Anniversary Event
 2. Committee meeting time and chair selection
- X. **Next Steps** (*Discussion Item*) (5 minutes)
- IX. **Next Meeting's Agenda** (*Discussion Item*) (5 minutes)
- X. **Adjournment**

For questions about the meeting please contact Winnie Loi at 554-4789

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Immigrant Rights Commission
Minutes of Meeting on October 1, 2001

The Immigrant Rights Commission (IRC) meeting was held on Monday, October 1, 2001 at San Francisco City Hall in Room 400, at 5:00 P.M.

Members Present Penelope Chronis, Emi Gusukuma, Isabel Huie, Diana Lau, Phu Nguyen, Richard Ow, Vera Haile, Houston Zheng, Medea Benjamin, Joseph Nwadibia, and Marlene Tran & Marcos Gutierrez. Commissioner Benjamin & Tran arrived at 5:23pm. Commissioner Tran left at 6:30pm. Commissioner Gutierrez left at 6:50 pm.

Others Present Dang Pham, Executive Director of the IRC
Winnie Loi, Commission Secretary
William Chan, Deputy City Attorney

Introduction: Moment of Silent in remembrance of the victims of the September 11, 2001 national tragedy.

Presentation Katie Quan, Center for Labor Resources of UC Berkeley gave a presentation regarding the situation concerning LeeMAH Electronic factory and Wins of California. She informed the Commission that roughly 200 workers from the Wins of California and 200 workers from LeeMAH Electronics factory were terminated.

Wins of California is the largest apparel manufacturer in San Francisco. The owners are Jimmy Quan & Anna Wong. Wins had issued paychecks to its workers, but informed them not to cash them. The U.S. Department of Labor has been investigating this situation. Based of the Department of Labor's investigation, a federal court has issued an injunction against Wins of California prohibiting Wins from continuing to operate until Wins paid its workers their back wages. They will not allow them to operate until they pay the Department of Labor Lock Box from which the workers could be paid eventually. The California Department of Labor Standards enforcement has received claims for back wages from almost all the workers. However, the State's authority over Wins is limited because Wins has file for bankruptcy protection.

Steven Hu, a former worker for LeeMAH Electronics, addressed the Commission regarding the circumstances surrounding the termination of himself and his fellow co-workers from LeeMah Electronics. On September 7, 2001, Mr. Hu and his fellow co-workers went to work as usual. During the afternoon, the management told the workers that there was not enough work and that they would be laid off immediately. The workers were given a document that had 2 parts. One part states that the workers

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voluntary quit and the second part states that they are laid off & terminated. The workers asked for the management for an explanation of the document. The workers were told that if they did not sign the document, that they would not get their paycheck. They got into a heated argument and the police were called. According to Ms. Quan, the employees must be given 60 days notice or 60 day's severance pay when terminated. The workers at LeeMah receive neither adequate notice or compensation.

Wesley Wang, another former employee for LeeMAH Electronics, says there were conflicts between worker and management. He made several suggestion that would assist immigrant workers in employment related issues. First, employee's rights should be published in Chinese. Second, government agency that provides assistance to work should hire more bilingual staff to assist monolingual workers and money should be set aside by the agency to publish information on labor laws. For example, the government should make a videotape regarding worker's rights which can be shown once a year to the workers.

Katie Quan made the following suggestions that the Commission. First, the Commission should send a letter to Bing Hong Mah, of LeeMah, to urge him to negotiate in good faith with the workers for their severance package. Second, Bing Hong Mah is going to received an award this coming Saturday for being a good employer. She suggested that the Commission should inform the Asian Business League that Mr. Mah is involved in a labor dispute and may have violated Federal labor laws. Third, notify the Mayor & Board of Supervisors about the LeeMAH case and asked them to facilitate a meeting between the workers and Bing Hong Mah.

Public Comment:

Jenny Zheng commented on the treatment experienced by Falun Gong practitioners. Sherry Zhang acted as the translator for Ms. Zheng. Jenny is a U.S citizen & a resident of San Francisco. She enjoys & practices Falun Gong, but she states that the freedom is being limited & affected by the Chinese Government. Before, she had arthritis & headaches constantly, but after practicing Falun Gong her symptoms were gone. When she and her daughter went back to China to visit a friend, another Falun Gong practitioner, she stated that they were arrested by the police. When she asked the police why they were being arrested, he told her that it is a crime when more than 3 practitioners meeting in one place. She stated that she was detained for 2 days, with no food or water. She also stated that she was forced to leave China immediately & was told not to come back to China for 10 years.

Samuel Zhang addressed the Commission regarding Falun Gong. He said that he was passing out flyers in Portsmouth Square about Falun Gong. A

gentleman took the flyer and threw it on the floor. He told Samuel that Falun Gong is a cult. Samuel stated that his group could not get a permit for Portsmouth Square.

Introduction: Chair Lau welcomed & introduced the newly appointed Commissioner Marcos Gutierrez.

Chair Lau informed the Commission that Commissioner Tran was nominated for Vision Award Winner 2001 for 30 years of community work. Commissioner Tran indicated that she is donating the \$1000 award to the Visitation Valley Centers.

Annie Brown could not make it to this month's meeting to talk about the Hate crime issues. She will attend the November meeting. The commissioners asked if she could discuss and explain the break down of the following categories for anti-immigrant, ethnic & racial.

Resolution: Commissioner Chronis introduced the resolution regarding the backlash against Arab and Muslim American in the wake of the September 11th tragedy. Commission Haile made a motion to approve the resolution and was seconded by Commissioner Huie. The Commission unanimously adopted the resolution.

Future Activity: Chair Lau suggested to the Commission that the Commission should work with the Human Rights Commission, since there are issues that concern both commissions.

Commissioner Benjamin has been helping the community regarding the hate crimes towards Arab & Muslim. She informed the commission that storefronts have been vandalized & threats have been made towards owners. She suggested that the Islamic society might be invited to address the Commission at the next meeting regarding retaliation against these two communities in the wake of September 11.

The Commissioners discuss about Immigrant Pride Day. Chair Lau, Commissioners Benjamin & Nwadiabia will speak on behalf of the Commission at that day. The Commissioners discussed about making a banner for the Commission for that and other events. They would like the banner to be in 3 languages, English Chinese & Spanish. They also suggested adding the phrase "San Francisco is a Hate Free Zone" to the banner.

Approval of Minutes:

Commissioners Haile made a motion to approve minutes for the September meeting, which was seconded by Commissioner Huie. Commissioner Huie asked to amend the minutes, to correct the spelling of Katie Quan's name.

The Commission unanimously approved the minutes as amended.

Director's Report: Director Pham discuss possible districts for the neighborhood meetings. He suggested that the next neighborhood meeting should be held in the Richmond district in December. Commissioner Ow made a motion to have the neighborhood meetings in Richmond, which was seconded by Commissioner Chronis. The Commission unanimously approved the Director's suggestion for the December meeting and requested staff to find a site for the meeting. Director Pham also informed the Commissioners that he has received 13 summary plans from the Tier 1 Departments on the compliance with the Equal Access to Service Ordinance.

Chair's Report: Due to time constraints, Chair Lau will postpone the debriefing of the Immigrant Rights Commission Anniversary Celebration. She asked the committees to report back to the Commission of their activities for the previous month in during the next Commission meeting. She also asked Dang report back to the Commission in writing all the meetings and other activities he participates during month prior to each Commission meeting and to discuss briefly on important issues that would be of concern to the Commission.

Next Meeting: The next Commission meeting will be held in City Hall, on November 4, 2001 at 5:00 p.m.

Adjournment: The Commission meeting was adjourned at 7:00 p.m.



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

DOCUMENTS DEPT.

Amended Notice of Meeting and Agenda
Date: November 5, 2001
Time: 5:00 p.m. to 7:00pm
Place: City Hall - Public Hearing Room 400
One Dr. Carlton B. Goodlett Place
AGENDA

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Note: Decision on any and all action items will be preceded by discussion and public comment

Pictures for the Website will be taken at 4:45 in the Hearing Room 400 before the Commission meeting.

- I. Roll Call**
- II. Public Comment** (10 minutes)
- III. Presentation** (10 minutes)
 - 1. Anna Brown-Inspector, San Francisco Police Department
She will give an explanation of the breakdown of the Hate Crime report & try to answer any concerns from the Commissioners.
- IV. Approval of minutes (Action Item)** (5 minutes)
(Explanatory Documents: Minutes of October meeting)
- V. Future Activity** (20 minutes)
 - 1. neighborhood meeting
 - a. Date, time & location (Explanatory Documents)
 - b. Certificate of appreciation for the Russian - American Community Center
- VI. The Director's Report** (20 minutes)
 - 1. Equal Access to Service Ordinance - A status report
(Survey returns and translation of brochures)
 - 2. Plan for Website Update with the Fourth Anniversary event and new Commissioners information
 - 3. Summary of monthly activities of outside meetings and contracts

City Hall, Room 362, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102
TEL (415) 554-4789; FAX (415) 554-6177

- 4. Others
- VII. Report from the Chair (15 minutes)
 - 1. Debriefing of the Anniversary Event
 - 2. Committee meeting time & chair selection (action item)
 - 3. Immigrant Pride Day
 - 4. Others
- IX. Next Steps (Discussion Item) (5 minutes)
- X. Next Meeting's Agenda (Discussion Item) (5 minutes)
- XI. Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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Sunshine Ordinance Task Force
City Hall - Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
(415) 554-7724 (Office)
(415) 554-5163 (Fax)
E-mail: donna_hall@ci.sf.ca.us

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

* Copies of explanatory documents are available to the public on the Commission's webpage: www.ci.sf.ca.us/immigrant/meeting.html; or, upon request to the Commission Secretary, at the above address or phone number.

DISABILITY ACCESS

The Immigrant Rights Commission meeting will be held in Room 416 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco.

The meeting location is between Grove and McAllister Streets and is wheelchair accessible. The closest BART and Muni Metro Station is Civic Center, about three blocks from the meeting location. Accessible Muni lines nearest the meeting location are:

42 Downtown Loop

49 Van Ness-Mission

F-Market & Muni Metro (Civic Center Station)

For more information about Muni accessible services call (415) 923-6142

There is accessible on-street parking available in the vicinity of the meeting location.

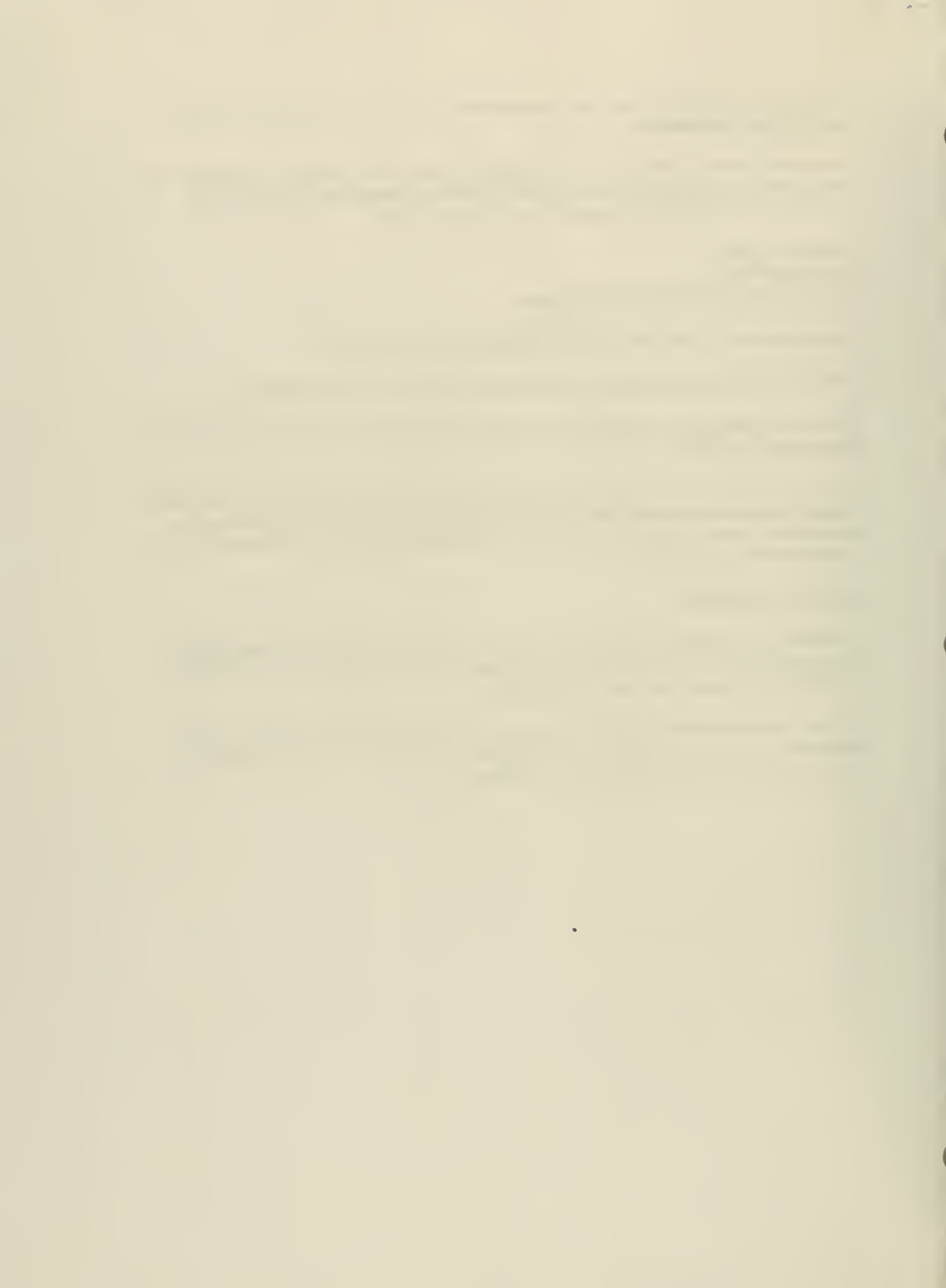
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Immigrant Rights Commission
Minutes of Meeting on November 5, 2001

The Immigrant Rights Commission (IRC) meeting was held on Monday, November 5, 2001 at San Francisco City Hall in Room 400, at 5:00 P.M.

Members Present Emi Gusukuma, Isabel Huie, Diana Lau, Phu Nguyen, Richard Ow, Vera Haile, Houston Zheng, Medea Benjamin, Joseph Nwadiibia, and Marlene Tran & Joaquin Gonzalez. Commissioner Tran left at 6:30pm.

Members Absent Marcos Gutierrez

Others Present Dang Pham, Executive Director of the IRC
Winnie Loi, Commission Secretary
William Chan, Deputy City Attorney

Introduction: Chair Lau welcomed & introduced the newly appointed Commissioner Gonzalez. She also introduced Neyde Azevedo & Juan Berumen who are waiting to be sworn in.

Presentation: Inspectors Brown and Moore of the San Francisco Police Department gave to the Commission a presentation regarding incidences of hate crime in the City. The department's reporting of hate crime is governed by the state guidelines. Unfortunately, classification of a victim's immigration status is not a category used by the State. Incidences of hate crime directed at immigrants are usually reported as a hate crime based on race or ethnicity. The department encourages people to make reports on "hate incidents," however not all such incidents are a crime. For example, name-calling does not amount to a crime. Hence, "hate incidence" that does not qualify as a crime is not reported in the hate crime statistics compiled by the department.

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If a victim of a hate crime has limited English proficiency and there is not an officer available who speaks the victim's native language, the victim can call AT&T to assist them with translation. To educate the immigrant population in the City regarding hate crimes, the departments also have hate crime brochures translated into 5 different languages. These brochures are distributed in many community groups, such as Chinese for Affirmative Action, groups in the Mission district & Russian Community in Richmond district. The brochures educate the public as to what is a hate crime or a hate incident & encourages them to report.

Inspector Moore spoke to the Commission about the money used to assist the victims of hate crime. One such fund is the witness victim assistant program, which has money set aside for victim who suffered injuries & to

assist the family of the victim when the victim is the breadwinner for the family. Inspector Moore also does training for the police academy & dispatchers in training on how to determine whether an incident might be a hate crime. During these training, she emphasizes to the cadets the need to ask the questions, because the victim would not voluntarily repeat what was said to them.

Hate crimes are severely under reported, not just in San Francisco, but nationwide. Since the September 11th incident, there has been a dramatic increase in incidences of hate.

The primary function of the hate crime unit is to investigate incidences of hate. The unit generally does not take calls from the public on criminal incidents.

Inspector Brown will give us the descriptions of the break down categories in the hate crime report. She suggests that if the Commission has concerns regarding this issue, the Commissioners should address their concerns to the Chief Lau.

Public Comment: Alicia Chao, a Falun Gong Practitioner, addressed the Commission on the difficulties faced by Falun Gong members. She told the Commissioners that the practitioners have been attacked in the San Francisco Bay Area, because they practice Falun Gong. The Chinese Consulate has targeted practitioners. Ms. Chao informed the Commission that during a personal trip to China, she was arrested by the Chinese authority. She was imprisoned for two weeks and was forced to make hairbrushes. She also reported that there have been hate incidents experienced by Falun Gong practitioners in Chinatown.

Approval of Minutes: Commissioners Haile made a motion to approve minutes for the October meeting, which was seconded by Commissioner Nwadiibia. The minutes were adopted unanimously by the Commission.

Future Activity: Director Pham talked about the Neighborhood meeting in the Richmond District. He proposed to have the meeting at the Russian Community Center at the Orthodox Church & proposed a meeting date of Dec. 4th. The Deputy City Attorney expressed some concerns about holding a meeting at a location that might be affiliated with a religious organization and will need to check to see if it is appropriate to use the facility.

Director's Report: Director Pham informed the Commission that he has received two compliance plans from the Tier I Departments. He will send out letters to the other Tier I Departments which have not responded to us.

The Equal Access to Service Ordinance brochure needs to be translated to Chinese and Spanish. In addition, based on the latest Census figures, Vietnamese, Tagalog & Japanese might be included in the translation requirement.

He discussed with Deputy City Attorney Elaine Warren, City regarding the need to have Building Permits in different languages so the public will know what is going on.

The Commissioners asked the Commission Secretary to provide to them the list of the Tier I departments specified in the Equal Access to Service Ordinance.

Chair's Report:

Chair Lau provided a debriefing of Commission Anniversary Celebration held in September. The Anniversary was successful & there was a great turnout. She suggested that in the future more people should staff the sign-in table because at the event, the sign-in line was too long and there were too many people waiting. On next anniversary there should only be pre-printed nametags for the Commissioners. The guests will write their name on nametags. Commissioner Huie suggested the food could be smaller in size, so it's not as messy. Commissioner Haile suggested that chairs be added along the wall so people could sit. Commissioner Gonzalez suggests getting student volunteers to help out in next anniversary celebration.

Chair Lau also asked the various committees to start meeting. Commission Secretary informed the Commission that the website is in place for her to post the committees' agendas to the website. She will inform the committee members regarding the committee meetings.

Chair Lau also expressed some frustration regarding the effectiveness of the Commission. Since the Commission is an advisory in nature, the Commission cannot really do proactive activities to help the immigrant public. She asked the Policy & Legislative Committee to meet explore means by which the Commission can become more effective in assisting the immigrant population in the City.

Immigrant Pride Day was a successful event. Commissioners Lau, Zheng, Haile, Ow, Tran, Gutierrez, Benjamin & Director Pham went to support this event.

Next Meeting:

The next Commission meeting will a Special meeting held at the Richmond District (location to be announced), on December 4, 2001 at 5:00 p.m.

Adjournment:

The Commission meeting was adjourned at 7:00 p.m.

IMMIGRANT RIGHTS COMMISSION

NOTICE OF CANCELLED MEETING

NOTICE IS HEREBY GIVEN THAT THE MONTHLY MEETING OF THE
IMMIGRANT RIGHTS COMMISSION OF THE CITY AND COUNTY OF SAN
FRANCISCO SCHEDULED FOR MONDAY,
December 3, 2001 AT 5:00 P.M., HAS BEEN CANCELLED.

THE SPECIAL MEETING WILL BE HELD ON TUESDAY, DECEMBER 4, 2001 AT
5:00 P.M. IN ROOSEVELT MIDDLE SCHOOL LOCATED AT 460 ARGUELLO BLVD.
(BETWEEN CLEMENT & GEARY)

Dang T. Pham
Executive Director

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Immigrant Rights Commission

COMMUNITY MEETING

What can the City do to promote immigrant rights?

What are the new requirements of
The Equal Access to City Services Ordinance?

- ♦ *Housing*
- ♦ *Education*
- ♦ *Equal Opportunity*
- ♦ *Hate Crime*
- ♦ *Other issues in immigrant communities*

We need to hear from you!

Tuesday, December 4, 2001

5:00 p.m. to 7:00 p.m.

Roosevelt Middle School

460 Arguello Blvd.

(between Clement & Geary)

San Francisco, CA

For more information, please call
Winny Loi at 415-554-4789

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2. *Annals of the New York Academy of Sciences*

3. *Journal of the Neurological Sciences*

4. *Journal of the American Academy of Child and Adolescent Psychiatry*

5. *Journal of the American Psychiatric Association*

6. *Journal of the American Geriatrics Society*

7. *Journal of the American Hospital Association*

8. *Journal of the American Medical Association*

9. *Journal of the American Medical Association*

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Immigrant Rights Commission

December 04, 2001(Special)



Immigrant Rights Commission

Special Notice of Meeting and Agenda

Date: December 4, 2001 (Tuesday)

Time: 5:00 p.m. to 7:00 p.m.

Place: Roosevelt Middle School

460 Arguello Blvd. (between Clement & Geary)

AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

I. Roll Call

II. Approval of minutes (Action Item) (5 minutes)
(Explanatory Documents: Minutes of November meeting)*

III. Public Comment (Discussion Item) (110 minutes)

Supervisor Jake McGoldrick

Nick Buick- Russian American Community

David Heller- The Greater Geary Merchant Association

Captain Ed Springer- San Francisco Police Department

Anni Chung - Self Help for Elderly

Gayle Zahler - Jewish Family & Children's Services

Younna Chlala, - Arab American Community

Thuy Doan- Vietnamese Community of San Francisco

Jay Caedo, Community Activist - Displacement of SF Airport Employees due to the federalization of baggage and security services

Edwin Jocson, Executive Director West Bay Multi-Services Center

Support the Building of the SOMA Youth Facility

Alan Manalo, Director, Bindelstiff Studios, SOMA- do not delay the development of the Plaza Hotel

IV. Next Meeting's Agenda (Discussion Item) (5 minutes)

V. Adjournment

For questions about the meeting please contact Winny Loi at 554-4789

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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City Hall - Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
(415) 554-7724 (Office)
(415) 554-5163 (Fax)
E-mail: donna_hall@ci.sf.ca.us

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

* Copies of explanatory documents are available to the public on the Commission's webpage: www.ci.sf.ca.us/immigrant/meeting.htm or, upon request to the Commission Secretary, at the above address or phone number.
DISABILITY ACCESS

The Immigrant Rights Commission meeting will be held in Room 416 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco.

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42 Downtown Loop
49 Van Ness-Mission
F-Market & Muni Metro (Civic Center Station)

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Immigrant Rights Commission
Minutes of Special Meeting on December 4, 2001

The Immigrant Rights Commission (IRC) meeting was held on Tuesday, December 4, 2001 at Roosevelt Middle School Auditorium, at 5:00 P.M.

Members Present Emi Gusukuma, Isabel Huie, Diana Lau, Phu Nguyen, Richard Ow, Vera Haile, Houston Zheng, Medea Benjamin, Joseph Nwadiibia, Marlene Tran, Juan Berumen & Joaquin Gonzalez. Commissioner Zheng & Nwadiibia came at 5:20 Commissioner Tran left at 6:20pm. Neyde Azevedo arrived 5:40pm & left at 6:40pm.

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Members Absent Marcos Gutierrez

JAN 15 2002

Others Present Dang Pham, Executive Director of the IRC
Winny Loi, Commission Secretary

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Introduction: Chair Lau welcomed & introduced the newly appointed Commissioner Berumen.

Public Comment: Nick Buick with the Russian American Community Center addressed to the Commission to open their meeting with a pledge of allegiance. He talked about opening more facilities to provide unlimited opportunities to the immigrants.

Captain Ed Springer with the San Francisco Police Department addressed to the Commission that most immigrants are victims of hate crime & domestic violence. The Police Department does a lot of out reach to the communities. They do presentations in the community centers & pass out handouts to inform the immigrants about hate crime & domestic violence. He also informed the public of Police recruitment in the immigrant community. He stated that Police Department is always looking for bilingual officers & that they need to be 21 years or older.

Traci Dobronravova with the Self-Help for the Elderly is currently servicing 15,000 seniors which speak mostly Chinese or a monolingual language. They provide services to help them with many issues, such as civic programs that teaches their rights & their opportunities. She came to the commission to share some concerns of the neighborhood issues such as homelessness & housing.

Yamna Chlala and Sonia Kaleel Arab American anti-discrimination Committee addressed to the commission about the needs of the community. There has been violence directed against the Arab American community since the September 11th tragedy. Various access to services has been has

not been the same after the tragedy such as public hate crimes, domestic violence, verbal & physical abuse and many more. Most of these people are afraid to testify.

Jan Ciuaaidad and Roy Comandao with Filipino Workers Association address her concern to the commission about jobs related to the airport. She stressed the issue of being a citizen in order to work at the airport will affect the Filipino community. She also stressed that these immigrants work long hours with only minimum pay.

Toto Matillano with Bahay Bayanan addressed to the commission also stressed about jobs related to the airport. He stressed that the bag checkers are only minimal jobs but lots of responsibility. They really would like the Immigrant Rights Commission to pass a resolution to support the non-citizen workers who work at the airport. He also talked to the commission about the concern of new youth center and a development plan on the South of Market area. He also mentioned that there should be a new facility center, an after school program, an education center & the theater. He also would like the commission to pass a resolution to support the new youth center, bilingual program and the Filipino education center.

Mauro Tumbocon with the Westbay Filipino Multi-Service expressed concerns to support the bilingual program. He asked if the commission can pass a resolution to support the program of Filipino Educational Center.

Lorna Chiu is a resident artist of Bindlestiff Studio, a long-standing performing arts venue located in the South of Market Area. Bindlestiff Studio is currently engaged in discussions with the San Francisco Redevelopment Commission over the development of the Plaza Hotel, located on 6th & Howard, the current location of the theater. For the past couple of months, their staff and supporters have organized a grass-roots campaign to petition their city's Redevelopment commission to proceed with the development, to no avail. They have been frustrated with the Commission's poor leadership on this issue. Specifically, the Filipino American community, which is one of the bases of Bindlestiff Studio, has been angered by the tactics of the Commission president & three other commissioners. They have squelched discussions among the other commissioners, refused to allow members of the public to speak & have derailed a fair process from moving forward. What is at stake is the development of hundreds of low-income housing units & the rebuilding of their tattered venue. More important, the Redevelopment Commission's actions over the past few months have run counter at the aspirations of a large & vocal Filipino American community. They consider Bindlestiff a precious venue. It is a place not only to entertain, but to train young

artists, to educate the general public & more importantly, to provide a unique & vital cultural resource for one of the city's most undeserved immigrant communities in the heart of the South of Market neighborhood. San Francisco has long benefited from the deep cultural resources of its African American, Chicano & Latino & other Asian American populations. The rebuilding of Bindlestiff Studio is not merely a housing or economic issue; it is also an immigrant rights issue. Bindlestiff Studio has not only served the city's various immigrant communities, it is a product of what immigrant communities have to offer: the force of their collective imagination, the power to make art happen in places taken for granted or altogether forgotten & most important, the evidence of how we bear witness to their lives & creativity. She & the board members of Bindlestiff Studio, encourage Immigrant Rights Commission to draft a resolution in support of Bindlestiff Studio's campaign for it's immediate rebuilding.

Giuliano Ponce Leon works at the airport addressed to the commission Aviation & Transportation Security Act-Discriminatory & Anti-Immigrant. The recently passed Aviation & Transportation Security Act mandates that the job of bag screening should be done by U.S. citizens only. Considering that 80% of the bag screeners are recent immigrants, the law immediately discriminates against immigrants. At the SFO Airport, 1600 people of the bag screeners are non-U.S. citizens & 800 are Filipino immigrants. These groups of workers will all lose their jobs because of the new law. This will happen in spite of the fact that they have spent, on the average, two to three years on the job & thus could be presumed to be technically proficient. The law itself is based on faulty logic. The law assumes that the security of the airports is best entrusted to U.S. citizens, but what about the U.S. citizens Timothy McVeigh, the infamous Oklahoma City bomber? What about the bag screeners at O'Hare Airport in Chicago, who allowed a Nepalese to slip by with 8 knives, one stun gun & a mace. All of those involved are U.S. citizens. Clearly, U.S. citizenship does not guarantee security. Furthermore, U.S. citizenship is not a requirement for the pilots who fly the airplanes & flight attendants & mechanics who work on them. Finally, U.S. citizenship is not a requirement for one to join the U.S. armed forces. It has been reported that 47,000 non-U.S. citizens are in the armed forces. Clearly, the Aviation & Transportation Security Act should be amended to allow non-U.S. citizens to occupy the position of bag screener. Towards this end, the Filipino Workers Association calls on the people of various nationalities & especially the Filipinos, to unite & oppose this last piece of discriminatory legislation. He asked if the Immigrant Rights Commission could draft a resolution to support the immigrants who work as a security in the airport.

Supervisor McGoldrick addressed to the public that he co-sponsors Supervisor Sandoval's resolution to urge the San Francisco & California

Congressional delegation to amend, S.1447, the Airport Security Act to allow airport security workers to retain their jobs regardless of citizenship status & urging San Francisco International Airport to apply to be one of the five airports that will remain privatized. He also stated that there is a budget reform, so he suggested the public to have greater involvement and also to present their cases to the Board in regards to supporting the Filipino Educational Center & the Bindlestiff Studio.

**Approval of
Minutes:**

Commissioners Haile made a motion to approve minutes for the November meeting, which was seconded by Commissioner Gonzalez. The minutes were adopted unanimously by the Commission.

Next Meeting:

The next Commission meeting will a meeting held at City Hall, Hearing Room 400 January 7, 2002 at 5:00 p.m.

Adjournment:

The Commission meeting was adjourned at 7:15 p.m.



CITY AND COUNTY OF SAN FRANCISCO
IMMIGRANT RIGHTS COMMISSION

Notice of Meeting and Agenda

DOCUMENTS DEPT.

Date: January 7, 2002 (Monday)

JAN - 7 2002

Time: 5:00 p.m. to 7:00 p.m.

SAN FRANCISCO

Place: City Hall - Public Hearing Room 400

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One Dr. Carlton B. Goodlett Place

AGENDA

Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Public Comment (10 minutes)
- III. Steve Baughman of Baughman & Wang Presentation (15 minutes)
Educating the Commissioners about paralegal fraud
- IV. Approval of minutes (*Action Item*) (5 minutes)
(Explanatory Documents: Minutes of December meeting)*
- V. Consideration & Discussion of Resolution (20 minutes)
 1. Addressing the Educational Needs of Asian Pacific Islander Students, Their Families & Communities (APIES) resolution-report from Commissioner Tran/Discussion item
 2. Resolution to support the Airport non-citizen workers- Commissioner Gonzales/Action item
 3. Supervisor Sandoval's Resolution to support the Airport Security Act/Discussion item
 4. Supervisor Sandoval's- Amending Ordinance to require City departments to accept photo identification cards issued by other countries as personal identification if the cards meet certain standards/Discussion item
- VI. The Director's report (15 minutes)
 1. Equal Access to Service Ordinance - A status report
 2. Summary of monthly activities
 3. Goals & Objectives for the Annual year

City Hall, Room 362, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

TEL (415) 554-4789; FAX (415) 554-6177

4. Others

VII. Report from the Chair (20 minutes)

1. Financial strengthening of the IRC - exploration of community grants for emergency funding and support for CBOs with good community programs, independent city budget
2. Structural strengthening of the IRC - Building alliances with other Commissions and City Department
3. Image strengthening of the IRC - Building alliance with the media, regular notification of meetings and agenda to a select group of media contacts, education and training of the Commissioners
4. Evaluation of December meeting at the Roosevelt Middle School, start work on securing the next Community meeting site
5. Others

VIII. Program & Access Committee Report (5 minutes)

IX. Policy & Legislation Committee Report (5 minutes)

X. Finance & Operations Committee Report (5 minutes)

XI. Next Steps (*Discussion Item*) (5 minutes)

XII. Next Meeting's Agenda (*Discussion Item*) (5 minutes)

XIII. Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapters 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, please contact:

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F-Market & Muni Metro (Civic Center Station)

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Immigrant Rights Commission
Minutes of Regular Meeting on January 7, 2002

The Immigrant Rights Commission (IRC) meeting was held on Monday, January 7, 2002 at San Francisco City Hall in Room 400, at 5:21 P.M.

Members Present Diana Lau, Neyde Azevedo, Medea Benjamin, Joaquin Gonzalez, Emi Gusukuma, Vera Haile, Joseph Nwadibia, Richard Ow, Marlene Tran. Houston Zheng arrived at 6:10pm, Juan Berumen arrived at 6:45pm. Commissioner Ow left at 6:10pm & Commissioner Benjamin left at 6:40pm.

Members Absent Isabel Huie & Phu Nguyen

DOCUMENTS DEPT

Others Present Dang Pham, Executive Director
Winnny Loi, Commission Secretary
William Chan, Deputy City Attorney

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II. Public Comment:

Leslie Bulbuk from the Love Sees No Borders & the San Francisco Chapter of the Lesbian & Gay Immigration Rights Task Force addressed the commission regarding problems faced by Lesbian and Gay Americans/permanent residents who are in a same-sex relationship with foreign nationals. Under the current federal immigration laws, US Citizens and permanent residents could only petition for an immigrant visa for foreign nationals to whom they are married. Thus, unlike citizens and permanent residents who are married to foreign nationals, Gay and Lesbian Americans and immigrants have no hope of living together in the U.S. Congress is currently considering the Permanent Partners Immigration Act (PPIA - HR 690) which would allow U.S. citizens and permanent residents to petition for an immigrant visa for their foreign national partners as if they were their spouse. Ms. Bulbuk asked for the Commission's support for the legislation and urged the City to officially support the passage of this legislation. She also would like the Mayor to hold a press conference announcing the City's support for the Act. Ms. Bulbuk also noted that currently, the City and County of San Francisco is a Refuge only for foreign nationals, yet Americans are as affected by the lack of recognition under the immigration laws as are their foreign national partners. She urge the Commission to ask the Board to amend the City's declaration as a City of Refuge to include same-sex American partners of foreign nationals. The Chair referred this matter to the Policy and Legislation Committee for further consideration.

III. Presentation: At the Commission's invitation, Steve Baughman from Baughman & Wang spoke on the growing problem with unscrupulous immigration consultants in the Bay Area. Four years ago, his firm began to receive complaints from

the immigrants that they have been defrauded by or gotten bad legal advice from immigration consultants which hurt their chances of gaining legal status in the U.S. Often, these victims are reluctant to come forth and press criminal charges or file a civil complaint against these consultants because of their status as undocumented/out-of-status aliens. As a result, this problem has and will continue to grow in the Bay area. Mr. Baughman also informed the Commission on the legal obligations of an immigration consultants. Under the Business and Professions Code, immigrant consultants must (1) post a bond in the amount of \$50,000; (2) post signs at their offices advising their customers that they are not attorneys and cannot give legal advice and that they cannot charge a fee for referring customers to lawyers; (3) provide written, bilingual fee contracts that notify the customer of a 72 hour cancellation period; and (4) render only "nonlegal assistance". Failure to comply with these requirements is a misdemeanor for the first offense and felony for repeated offenses. The statute also imposes significant fines for violations. Mr. Baughman has tried to get the District Attorney's Office interested in prosecuting these cases. However, so far, that office has not shown any interest in this issue.

He proposed to the establishment of a Task Force, like that in the Los Angeles that would ensure compliance with the law by immigration consultants practicing in the City.

The Chair assigned this matter to the Policy and Legislation Committee for further consideration.

IV. Approval of Minutes:

Commissioner Gonzalez made a motion to approve minutes for the December meeting, which was seconded by Commissioner Nwadiabia. The minutes were adopted unanimously by the Commission.

V. Consideration & Discussion of Resolution:

Item 2 - Resolution to support the Airport non-citizen workers:

Item 3 - Supervisor Sandoval's resolution to support the Airport Security Act; and

Item 4 - Resolution commending the Airport Commission and the regional Director of the INS for their efforts to ensure the job security of the immigrant at the San Francisco Airport were considered together as a single items since they are related to the same issues.

Item 1 - Addressing the Educational Needs of Asian and Pacific Islander students, their families and communities was discussed after items 2, 3, 4 and 5.

Resolution to support the Airport non-citizen workers:

Malou Babilonia from the Filipino American Community Center for Culture & Ecology, rose in support of the resolution ensure that the security workers at the San Francisco International Airport would not lose their jobs due to the implement action of the Aviation and Transportation Act. Ms. Babilonia is an active member of the Filipino community and as an immigrant to show her support for her fellow immigrant workers. Airport workers are good workers with long track records. To lose them would be unjust and would create more problems such as massive unemployment. She urged the Commission to pass the resolution.

Guillermo Ponce de Leon, a security guard at the airport, rose in support of the Resolution. He noted that most of the security screeners have been working at the airport for years & they have been doing a good job. The security screeners were only paid \$6 an hour, just recently that they received raised salaries, due to the Living Wage Ordinance. He urged the Commission to pass the resolution.

Karl Kramer is with the San Francisco Living Wage Coalition. Coalition of Labor Unions, Community Organizations, Immigrant Rights Organizations, such as Northern CA Coalition for Immigrant Rights rose in support of the resolution. The living wage coalition campaigned for getting the Airport Commission to pass regulations calling for the quality standards program which brought up the wages of airport workers up to \$10 an hour and provided health care benefit. This has reduced the turnover from 80% to 15%. The federal legislation threatens to wipe out an experienced workforce. What happened on 9/11 were not the screeners, but the failure of FAA. FAA regulation allowed knives with blades up to 3 inches to be brought onto planes & have not taken steps to increase the wages of screeners. Airport security is not a question of citizenship it's a question of competence.

Edwin Jocson from the West Bay Pilipino Multi-Service supports the passage of the resolution.

Jane Comandar from the Filipino Workers Association spoke in support of the resolution.

Roy Camandao spoke in support of the resolution. He pointed out that some Filipino are reluctant to naturalized because if they had petitioned for family member to emigrate to the U.S., the relative might have to wait longer for an immigrant visa to become available if the petitioner was naturalized, as compared to if the petitioner remains a legal permanent resident. If you are a legal permanent resident you should be allowed to work in the airport.

The Commissioners talked about the changes on the resolution & William Chan the City Attorney helped clarify the amendments on the resolution. The commissioners agreed to delete page one line 3 to line 6 and ending with and. Delete other on page one in line 8, correct the spelling of McVeigh, on page 3 delete the word "and"; delete the last whereas and leaving the words "now, therefore, be it"; & deleting the 1st resolved; deleting "further". Commissioner Gusukuma moved to adopt resolution as amended & Commissioner Benjamin 2nd the motion. The Commission unanimously adopted the resolution.

Commissioner Tran gave a report to the Commission on the Resolution addressing the educational needs of Asian Pacific Islander (APIES) that was adopted by the school board. This affected half of the students in San Francisco Unified School District. Commissioner Tran specifically noted 3 school board members, Frank Chong, Eddie Chin and Eric Mar for their work on behalf of the resolution. She also commended Chistina Wong with the Chinese of Affirmative Action who was very instrumental in pushing this resolution forward. Commissioner Tran quoted Eddie Chin, "addressing the needs of the Asian Pacific Islanders students have been long & sorely needed, not today, not yesterday, but a long time ago."

The Director's Report:

Executive Director Dang Pham informed the Commission about the progress of the Equal Access to Service Ordinance. He sent out the 2nd follow up letter on November 14th to the Tier 1 Departments with a copy of the Commission's checklist. As of the date of the meeting, he received 8 compliance plans from the Tier 1 departments. He met with a few of the departments to assist them in completing their compliance plans. He will follow up with the other Tier 1 departments who did not respond.

On November 9th & 16th Director Pham, Commissioner Lau & Commission Secretary Loi attended Raising Immigrant Voices conference. It was organized by the Northern CA Citizens Project. It was a discussions & activities that aims to strengthen the collective efforts for the political community empowerment of immigrants.

He, along with Commissioners Ow and Gusukuma attended the Asian Prenatal Advocates reception at its new facility. He also represented the Commission in the Healthy Kids Program orientation. The program establishes a universal Health care insurance for low income San Francisco children. This program was created at the initiative by Mayor Willie Brown & Department of Public Health & funded by the City & County of San Francisco. The program would provide insurance for undocumented children & children who are not eligible to other state funded programs.

He also attended the CA Immigrant Welfare Coalabrative issue briefing in Oakland.

Director Pham also mentioned that his & Ms. Loi's work plan for 2002 was sent in the package for Commissioners to review.

So far only seven Commissioners have submitted their bios to Ms. Loi, we are still waiting for bios from the other commissioners. Director Pham noted to the Commissioners that if they want their individual photos to be posted on the Commission's website, they would need to provide their own personal photo.

Commissioner Lau inquired about a retreat for the Immigrant Rights Commission. Last retreat was done in City Hall. The retreat needs to be wheelchair accessible. The Chair assigned this to the Finance & Operations Committee. They need to discuss when, where, how & etc.

Program & Access Committee:

Commissioner Gusukuma, the chair of the Committee, noted that Director Pham has provided the Commission with a report of the Committee's activities.

Policy & Legislation Committee:

Commissioner Gonzalez, the Chair of the Committee, reported that they will be taking up the issue regarding the airport security workers & immigration paralegal fraud prevention.

Commissioner Gusukuma asked about the Bindelstiff Studio Resolution and Commissioner Berumen indicated that he is working with them in getting the information together. He reported that the Board of Supervisors already adopted a resolution on this issue. He proposed to have this resolution on next months meeting. He also suggested that they write a letter to support & acknowledge the Board's resolution. Commissioner Gonzalez would like to have Commissioner Berumen join the Policy & Legislation Committee since he has helped to draft a resolution. He also stated that the Commission should be more integrated in our approach to the South of Market Issue which includes redevelopment of the area & Commissioner Berumen agrees with Commissioner Gonzalez.

Finance & Operations Committee:

Commissioner Secretary Ms. Loi noted that the Committee meeting was cancelled due to a lack of quorum. The next meeting is scheduled for February 4th.

Agenda for Next month:

Commissioner Berumen proposed to put Bindelstiff studio resolution on next month's agenda. Commissioner Lau asked that a representative from

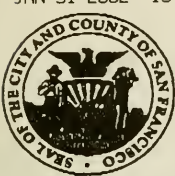
the DA's office be invited to address the issue of immigration fraud. Commissioner Tran would like to have representative from Muni to address their services in the City. Commissioner Gonzalez moved that the Policy & Legislation Committee help draft the resolution to support the Permanent Partners Immigrant Act. Commissioner Gonzalez asked to have Mr. Baughman to attend the next Policy & Legislative Committee meeting so they can discuss an action plan & a resolution to help resolve the immigration fraud issue.

Next Meeting:

The next Commission meeting will a meeting held at City Hall, Hearing Room 400 February 4, 2002 at 5:00 p.m.

Adjournment:

The Commission meeting was adjourned at 7:05 p.m.



CITY AND COUNTY OF SAN FRANCISCO
IMMIGRANT RIGHTS COMMISSION DOCUMENTS DEPT.
Notice of Meeting and Agenda

Date: February 4, 2002 (Monday)
Time: 5:00 p.m. to 7:00 p.m.
Place: City Hall - Public Hearing Room 400
One Dr. Carlton B. Goodlett Place

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AGENDA

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Note: Decisions on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (Action Item) (5 minutes)
(Explanatory Documents: Minutes of January meeting)*
- III. Public Comment (10 minutes)
- IV. Presentation (20 minutes)
 - 1. Representative from the District Attorney's Office -
Consumer Protection Division
Immigration Paralegal Fraud
 - 2. Northern California Citizenship Education Project
Naturalization Assistance Program
- V. Action/Discussion (30 minutes)
 - 1. Neighborhood meeting in March - Location
 - 2. Organizing a first 2002 San Francisco Immigrant Rights Summit
 - 3. Resolution to urge the Mayor, the Board of Supervisors and the
Redevelopment Commission to support the Bindlestiffs Studio
(Explanatory Document)
 - 4. Resolution to urge the Mayor and the Board of Supervisors to support
the passing of HR 690 to change the federal immigration laws to
recognize the rights of same sex binational couples
(Explanatory Document)
- VI. The Director's report (15 minutes)
 - 1. Equal Access to Service Ordinance - A status report
 - 2. Summary of monthly activities
- VII. Discussion/Report from the Chair (15 minutes)
 - 1. Report of the meeting with the Human Rights Commission
 - 2. Other
- VIII. Program & Access Committee Report (5 minutes)
- IX. Policy & Legislation Committee Report (5 minutes)
- X. Finance & Operations Committee Report (5 minutes)
- XI. Next Steps (Action/Discussion Item) (5 minutes)
- XII. Next Meeting's Agenda (Action/Discussion Item) (5 minutes)

City Hall, Room 362, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102
TEL (415) 554-4789; FAX (415) 554-6177

XIII. Adjournment

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Immigrant Rights Commission
Minutes of Regular Meeting on February 4, 2002

The Immigrant Rights Commission (IRC) meeting was held on Monday, February 4, 2002 at San Francisco City Hall in Room 400, at 5:10 P.M.

Members Present Diana Lau, Isabel Huie, Joaquin Gonzalez, Juan Berumen, Emi Gusukuma, Vera Haile, Phu Nguyen, Joseph Nwadiibia, Richard Ow, Marlene Tran, Houston Zheng, Commissioner Berumen arrived at 6:00pm. Commissioner Tran left at 6:12pm, Commissioner Gusukuma left at 7:00 & Commissioner Nguyen left at 7:10.

Members Absent Neyde Azevedo & Medea Benjamin

Others Present Dang Pham, Executive Director
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

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II. Approval of minutes:

The following amendments to the minutes were proposed:

- The header should read: The Immigrants Commission Minutes of Regular meeting.
- Item 2, the 2nd to the last sentence of the 1st paragraph, delete sanctions.
- Item 1 should read: Addressing the Educational Needs of Asian & Pacific Islander students, their families & communities were discussed after items 2,3,4 & 5.
- 4th paragraph after item 1 should read: Resolution to support the Airport non-citizen workers: Malou Babilonia from the Filipino American Community Center for Culture & Ecology, rose in support of the resolution ensure that the security workers at the San Francisco International Airport would not lose their jobs due to the implement action of the Aviation and Transportation Act. Ms. Babilonia is an active member of the Filipino community and as an immigrant to show her support for her fellow immigrant workers. Airport workers are good workers with long track records. To lose them would be unjust and would create more problems such as massive unemployment. She urged the Commission to pass the resolution.
- Correction on the spelling of Eric Mar's name.
- Paragraph, 1st sentence of the Director's Report should read: He, along with Commissioners Ow & Gusukuma attended the Asian Prenatal

Advocates reception at its new facility. The Third sentence should read: The program establishes a universal Health care insurance for low-income San Francisco children. The First two sentences of the 5th paragraph on the Directors report should read: So far only seven Commissioners have submitted their bios to Ms. Loi, we are still waiting for bios from the other Commissioners. Director Pham noted to the Commissioners that if they want their individual photos to be posted on the Commission's website, they would need to provide their own personal photo.

Changes were made to correct the name Bindlestiff Studio.

Under the Agenda for Next month, the 2nd sentence to last was corrected should read: Commissioner Gonzalez moved that the Policy & Legislation Committee help draft the resolution to support the Permanent Partners Immigrant Act.

Commissioner Haile moved to approve minutes as amended and seconded by Commissioner Gonzalez. The minutes were adopted unanimously.

- IV. Presentation:** Brian Bringardner from the District Attorney's office addressed the Commission on the issue of immigrant paralegal fraud. In the normal situation, to pursue criminal charges against someone, there has to be a victim who is willing to testify. In cases involving immigrant paralegal fraud, the victims are either unavailable to testify because they have been deported or they are afraid to testify. In State enacted a new law, which made it illegal for anyone to advertise as a immigrant paralegal if they have not satisfy certain requirements, such as being bonded. Hence, the DA Office can prosecute without the need for a victim to testify. Mr. Bringardner advised the Commission that the DA's Office relies heavily on the Police to investigate and suggested that the IRC work with the Police Commission to train the officers to be sensitive to complaints regarding immigration paralegal fraud. The Chair asked the Policy & Legislation Committee to draft a letter to the Police Commission regarding this issue.

Gordon Mar Director of Northern California Citizenship Project (NCCP) addressed the Commission regarding State funding for Naturalization Service Program. Governor Davis is proposing to cut the funding of the program by 70% from the original funding of \$6.5 million to \$2 million. Mr. Mar noted that with the help of Mr. Pham, Supervisor Sophie Maxwell & other advocacy groups, the funding was restored to 4.9 million.

V. Action/Discussion:

Item 1-Commissioner Ow suggested that the IRC hold the next meeting in

Visitation Valley Community Center on 66 Raymond Avenue. Commissioner Ow moved to adopt this schedule and seconded by Commissioner Huie. The Commission adopted the motion and directed Staff to take the necessary steps to retain the facility for next month's meeting.

Item 2- The Chair and Director Pham proposed to the Commission that they should organize an immigrant summit. The summit is to be used as a forum to help the immigrant communities and to empower them so they become fully integrated into society. Commissioner Gonzales moved to which was 2nd by Commissioner Berumen.

Item 3- Director Pham informed the Commission that the resolution to support Bindlestiff Studio could not be prepared in time for the Commission's consideration, due to lack of information. The Policy & Legislation Committee will consider and finalize a proposed resolution for the Commission's consideration during the March meeting.

Teresa Yanga with the Todco Development Company asked the Commission to support Todco's effort to be named by the Redevelopment Agency as the developer for the Site. Todco was the only developer that responded to the Redevelopment's request for proposal to develop the Site. In the plan includes the building of 115 affordable studio apartment unit and the provision of a permanent unit for Bindlestiff Studio, a long-standing member of the community. Because of political considerations, the Redevelopment Agency tabled the consideration of Todco's proposal in its initial meeting. The Redevelopment Agency is bringing up Todco's proposal up for consideration at its next meeting on Tuesday, February 12th.

Lorna Chui with Bindlestiff Studio point out that this is more than just a housing issue. There are many immigrants in the South of Market who are under served. The recent development occurring in the South of Market area, such as the live-work lofts has displaced many immigrant families from their low-income housing. In addition, the Bindlestiff Studio is the only place devoted for Filipino-American artist, musician, performers, and dancers in the nation. Todco's proposal would address the issue of loss of affordable housing to the immigrant communities, as well as providing immigrant artists a place to practice their arts. The community feels frustrate that the Redevelopment Agency is not hearing and addressing their concerns.

Oliver Saria is the Chairman of the SOMA Pilipinas Coalition & an artist of Bindlestiff Studio points out the importance of the Bindlestiff Studio to

the Filipino-American community. Bindlestiff is a bridge for recent immigrants and 2nd generation Filipinos. Bindlestiff provides a valuable resource for other groups as SOMA.

Item 4-Marta Donayre from Love Sees No Borders addressed the Commission regarding support for the Permanent Partner Immigration Act.

VI. Directors Report:

Item 1 - Mr. Pham has sent out the 2nd reminder letter to the Tier 1 departments about the due date of the final plan for compliance with the Equal Access to Service Ordinance and the checklist. As of today, the Commission has received 9 final compliance plans. Mr. Pham has also met with many departments to answer questions or problems they have regarding the development of the compliance plan.

Item 2 - Mr. Pham, along with Chair Lau met with Human Rights Commission to build a working relationship regarding issues relating to the immigrants.

On January 17th, Commissioner Gusukuma and Mr. Pham attended the reception of the Asian Pacific American Institute for congressional studies.

On January 19th, Mr. Pham and other advocacy groups met with Robert Oaks & Phung Pham from the Governor's office in San Francisco to request Governor Davis to reinstate funding for Naturalization & Assistance programs.

VII. Discussion/Report from the Chair:

Chair Lau reported on her meeting with Bill Lee the City Administrator & the Human Rights Commission (HRC).

Commissioner Haile mentioned that there was a joint hearing of the HRC & Board of Supervisors' (BOS) Neighborhood Services and Recreation Committee addressing various issues concerning Arab and Muslim communities. She suggested that the Commission should be involved in these meeting since a lot of the issues addressed by these hearing touches on those affecting immigrants. The Immigrant Rights Commission needs to seek participation on the follow up task force with Supervisor Newsom's office.

Commissioner Lau reminded the Commissioners who have not submitted their bios to submit it to Ms. Loi for posting on the Commission website.

VIII. Program & Access Committee:

Chair Lau indicated that no meeting was held last month due to a lack of quorum.

IX. Policy & Legislation Committee:

Commissioner Gonzalez indicated that the committee's meeting was canceled due to lack of quorum.

X. Finance & Operations Committee:

Commissioner Ow reported that the Committee is considering April 13 and May 4 as possible date for the Commission's retreat. The committee will draft an agenda for the retreat next month.

Commissioner Lau proposed to have the IRC retreat in City Hall.

Adjournment: The Commission meeting was adjourned at 7:21 p.m.



CITY AND COUNTY OF SAN FRANCISCO
IMMIGRANT RIGHTS COMMISSION

NOTICE OF CANCELLED MEETING

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4/02
canceled
NOTICE IS HEREBY GIVEN THAT THE MONTHLY MEETING OF THE
IMMIGRANT RIGHTS COMMISSION OF THE CITY AND COUNTY OF SAN
FRANCISCO SCHEDULED FOR MONDAY,
March 4, 2002 AT 5:00 P.M., HAS BEEN CANCELLED.

THE SPECIAL MEETING WILL BE HELD ON MONDAY, MARCH 11, 2002 AT 5:00
P.M. IN HEARING ROOM 416 AT CITY HALL, 1 DR. CARLTON B. GOODLETT
PLACE.

Dang T. Pham
Executive Director

03-01-08A10:28:10

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CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

Notice of Special Meeting and Agenda

Date: March 11, 2002

Time: 5:00 p.m. to 7:00pm

Place: City Hall - Public Hearing Room 416
One Dr. Carlton B. Goodlett Place

AGENDA

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MAR - 8 2002

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Note: Decision on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (Action Item) (5 minutes)
Minutes of February Meeting (Explanatory Documents)
- III. Amendment of Bylaws (Action Item)
Change meeting date from 1st Monday to 2nd Monday of every month.
- IV. Public Comment (10 minutes)
- V. Action/Discussion (15 minutes)
 1. Resolution supporting the community-based development of the Plaza Hotel Site at 988-992 Howard Street in the South of Market earthquake recovery redevelopment and Bindlestiff Theater (Explanatory Documents)
 2. Resolution supporting Board of Supervisor Resolution 196-01 and supporting the passage of the Permanent Partner Immigration Act (Explanatory Documents)
- VI. IRC Retreat - Discussion/Action (15 minutes)
 1. Confirmation of Date/Place
 2. Agenda Planning
- VII. Proposal to hold the Summit on Immigrant Rights in San Francisco - Discussion/Action (20 minutes)
 1. Project Proposal
 2. Formation of Summit planning think tank
- VIII. The Director's Report (10 minutes)
 1. Equal Access to Services Ordinance - A status report
 2. Summary of monthly activities of outside meetings and contacts
 3. Form 700
 4. Sunshine Ordinance Declaration form
 5. St. Patrick's Day Parade
 6. Access to Public Benefits for Immigrant Forum
- IX. Discussion/Report from the Chair (15 minutes)
 1. Timeliness of notification of legislative changes/events
 2. Funding guidelines- Ethics Commission
 3. Committee Minutes
 4. Neighborhood Meeting in June/Location - Action/Discussion

X. Program & Access Committee Report	(5 minutes)
XI. Policy & Legislation Committee Report	(5 minutes)
XII. Finance & Operations Committee Report	(5 minutes)
XIII. Next Meeting's Agenda (Discussion Item)	(5 minutes)
IVX. Adjournment	

For questions about the meeting please contact Winny Loi at 554-4789

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DRAFT

[Plaza Hotel and Bindlestiff Theater ~~Red~~Development]

Resolution ~~urging the San Francisco Redevelopment Agency to proceed without~~
~~further delays~~ supporting the community-based development of the Plaza Hotel Site at
988-992 Howard Street in the South of Market earthquake recovery redevelopment and
Bindlestiff Theater.

WHEREAS, ~~i~~n the City and County of San Francisco, the greatest practicable efforts for the
development of additional new affordable housing as quickly as possible ~~is~~ are urgently
needed because there exists an extreme shortage of affordable housing for low-income
households. This is especially ~~the case~~ true for the residents and the homeless ~~of at~~ the South
of Market (SOMA) neighborhood; and

WHEREAS, ~~the South of Market~~ SOMA has become a social, cultural, spiritual, artistic, and
environmental refuge for the Filipino community because of the substantial displacement ~~they~~
~~the Filipinos~~ have experienced elsewhere in the ~~city~~ City in recent years due to the rapid
increases in residential and commercial rents, ~~more specifically the Sixth Street~~
~~Neighborhood, which is obviously distressed and in great need of community-based~~
~~revitalization to improve its economic and living conditions~~ [Comment: Sixth Street is part of
SOMA so it is not elsewhere in the City]; and

WHEREAS, The Bindlestiff Studio is the only Filipino-American "black box" theater group in
the United States and is a vital cultural asset of the San Francisco Bay Area, especially for
Filipino community and the Sixth Street Neighborhood; and

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1 WHEREAS, ~~in~~In accordance with the objectives of the California Community Redevelopment
2 Law (Health and Safety Code Section 33000 et seq.), the San Francisco Redevelopment
3 Agency ~~of the City and County of San Francisco~~ undertakes programs for the reconstruction
4 and rehabilitation of slums and blighted areas in the City ~~and County of San Francisco~~; and

5
6 WHEREAS, ~~on~~On June 11, 1990, by ~~Ordinance 234-90~~, the Board of Supervisors ~~for the City~~
7 adopted Ordinance 234-90, the South of Market Earthquake Recovery Redevelopment Plan,
8 which lists as one activity, "the rehabilitation, development or construction of low and
9 moderate income housing within the Project Area and/or the City and County, or other
10 housing within the Project Area"; and

11
12 WHEREAS, ~~the~~The San Francisco Redevelopment Agency acquired through the use of tax
13 increment revenues the 32 room Plaza Hotel located at 988-992 Howard Street in August of
14 2000, including the current site of Bindlestiff Studio Theater, with the intent of redeveloping it
15 as affordable housing with ground floor commercial space ~~by utilizing tax increment revenues~~;
16 and

17
18 WHEREAS, ~~the~~The San Francisco Redevelopment Agency ~~with support from the Mayor and~~
19 ~~Board of Supervisors~~ has the primary responsibility ~~to~~for developing affordable housing and
20 community centers in the ~~South of Market~~ SOMA, ~~by seeking qualified nonprofit developers or~~
21 ~~developing housing themselves~~; and

22
23 WHEREAS, ~~an~~An integral component of ~~the~~any proposed development ~~will~~should be a
24 permanent new Bindlestiff Theater, which will allow Bindlestiff Studio to continue its
25 relationship with its constituency. ~~Bindlestiff Studio is the only Filipino American "black box"~~

theater group in the United States. They are a vital cultural asset of the San Francisco Bay Area, especially San Francisco's Filipino community and the Sixth Street Neighborhood; and

WHEREAS, ~~in~~ In spite of relentless community ~~lobbying support~~ and strong support from the Board of Supervisors, the San Francisco Redevelopment Agency has ~~yet not to acted~~ expeditiously on the Plaza Hotel development, ~~including Bindlestiff Studio~~; now, therefore, be it

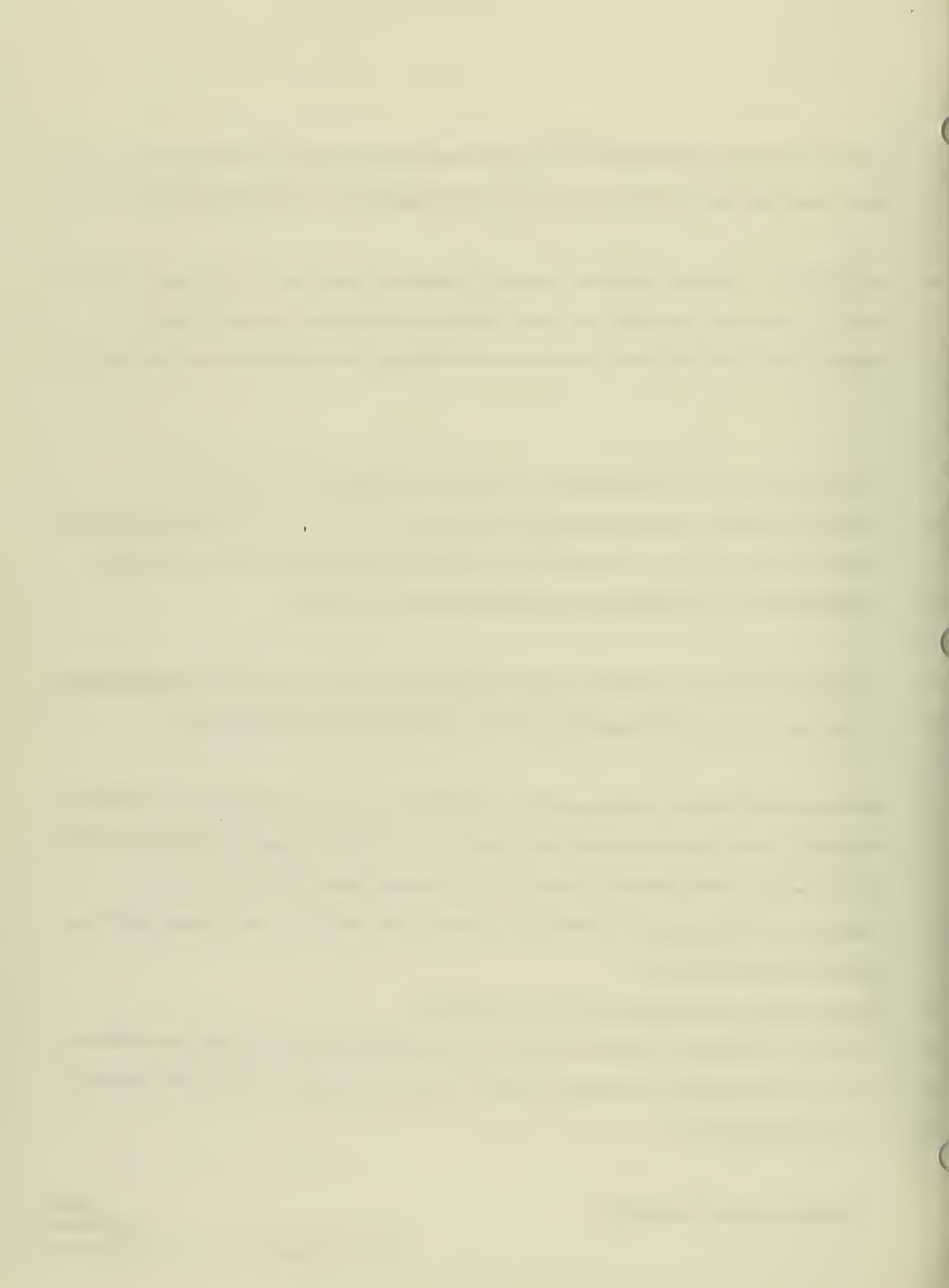
RESOLVED, That the Immigrants Rights Commission ~~of the City and County of San Francisco~~ strongly ~~endorses supports~~ the expeditious community-based development of the Plaza Hotel Site at Sixth and Howard streets in the South of Market Earthquake Recovery Redevelopment Area, ~~including a new Bindlestiff Theater~~; and be it

FURTHER RESOLVED, That the Immigrant Rights Commission urges that any development of the Plaza Hotel should include a permanent site for Bindlestiff Studio; and be it

~~FURTHER RESOLVED, That the Immigrants Rights Commission urges the San Francisco Redevelopment Agency to proceed without further delay the development of the Plaza Hotel Site, including a new Bindlestiff Theater through whatever means is necessary, either contracting out the project to a nonprofit developer or the Redevelopment Agency acting as the site developer; and, be it~~

[This seems to be the same as the first resolve.]

FURTHER RESOLVED, That the Secretary of the Immigrants Rights Commission shall send a copy of this resolution to the Mayor's Office, Board of Supervisors, and the San Francisco Redevelopment Agency.



DRAFT

[Adoption of the Permanent Partner Immigration Act]

**Resolution supporting Board of Supervisor Resolution 196-01 and ~~urging the California~~
~~Congressional delegation to move towards supporting the passage of the "Permanent~~
~~Partner Immigration Act" in the next Congressional session.~~**

WHEREAS, ~~more~~ More than 50 percent of the one million U.S. ~~permanent resident (Green~~
~~Card)~~ immigrant visas issues issued annually by the Immigration and Naturalization Service go
to family members of U.S. ~~e~~ Citizens and permanent residents; and

WHEREAS, The Immigration and Nationality Act allows U.S. Citizens and legal permanent
residents in a heterosexual relationship to petition for immigrant visas for their spouses; and

WHEREAS, The ~~INS'~~ current definition of family Immigration and Nationality Act excludes
does not allow U.S. Citizens and legal permanent residents in a same-sex relationship to
petition for immigrant visas for their ~~same sex~~ partners; and

WHEREAS, The Permanent Partner Immigration Act currently pending in the U.S. Congress
seeks to recognize the reality that lesbian and gay couples are deserving of the same basic
immigration rights as heterosexuals; and

WHEREAS, Thirteen other countries currently allow the gay partners of their children [This is
confusing, countries do not have children. do you mean citizens? How about
permanent residents of these counties?] to become permanent residents, including
Australia, Belgium, Canada, Denmark, Finland, France, Iceland, the Netherlands, New
Zealand, Norway, South Africa, Sweden, and the United Kingdom; and

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1
2 WHEREAS, San Francisco has ~~taken the very important step of proclaiming~~ proclaimed itself
3 a "City of Refuge" under ~~city ordinance~~ Chapter 12-H of the San Francisco Administrative
4 Code; and

5
6 WHEREAS, In the ~~spring~~ Spring of 2000, the Board of Supervisors voted [is this a resolution
7 or ordinance? Identify the specific resolution or ordinance.] to instruct ~~city~~ City and
8 ~~county~~ workers not to alert Immigration and Naturalization Service ~~officials~~ regarding
9 ~~partnered-partners of gay and lesbian foreigners~~ U.S. Citizens and legal permanent residents
10 living on expired U.S.-visas; and

11
12 WHEREAS, The Permanent Partner Immigration Act is an appropriate next step toward
13 establishing equality in immigration standards for gay men and lesbians;

14
15 WHEREAS, The Board of Supervisors has passed Resolution 196-01 last March 5, 2001
16 urging for the adoption of the Permanent Partner Immigration Act; now, therefore, be it

17
18 RESOLVED, That the Immigrants Rights Commission of the City and County of San
19 Francisco supports Board of Supervisors Resolution 196-01; and, be it

20
21 FURTHER RESOLVED, That the Immigrants Rights Commission of the City and County of
22 San Francisco also ~~urges the California Congressional delegation to move towards~~ supports
23 the passage of the "Permanent Partner Immigration Act" in the next
24 Congressional ~~Congressional~~ session. [Only the Mayor and the Board can lobby
25 Congressional members.]





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Immigrant Rights Commission

March 11, 2002 (Rescheduled)



Immigrant Rights Commission

NOTICE OF CANCELLED MEETING

NOTICE IS HEREBY GIVEN THAT THE SPECIAL MONTHLY MEETING OF THE IMMIGRANT RIGHTS COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO SCHEDULED FOR MONDAY, March 11 2002 AT 5:00 P.M., HAS BEEN CANCELLED DUE TO LACK OF QUORUM.

THE SPECIAL MEETING WILL BE HELD ON MONDAY, MARCH 18, 2002 AT 5:00 P.M.
IN ROOM 421 AT CITY HALL, 1 DR. CARLTON B. GOODLETT PLACE.

Dang T. Pham
Executive Director

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Immigrant Rights Commission

March 18, 2002 (Special)



Immigrant Rights Commission

Notice of Special Meeting and Agenda

Date: March 18, 2002

Time: 5:00 p.m. to 7:00pm

Place: City Hall - Room 421

One Dr. Carlton B. Goodlett Place

AGENDA

Note: Decision on any and all action items will be preceded by discussion and public comment

I. Roll Call

A moment of silence to observe the remembrance of the victims of September 11 tragedy

II. Approval of minutes (Action Item)

Minutes of February Meeting (Explanatory Documents) (5 minutes)

III. Amendment of Bylaws (Action Item)

IV. Action/Discussion (15 minutes)

1. Resolution supporting the community-based development of the Plaza Hotel Site at 988-992 Howard Street in the South of Market earthquake recovery redevelopment and Bindlestiff Theater (Explanatory Documents)

2. Resolution supporting Board of Supervisor Resolution 196-01 and supporting the passage of the Permanent Partner Immigration Act (Explanatory Documents)

VI. IRC Retreat - Discussion/Action (15 minutes)

1. Confirmation of Date/Place

2. Agenda Planning

VII. Proposal to hold the Summit on Immigrant Rights in San Francisco - Discussion/Action (20 minutes)

1. Project Proposal

2. Resolution from IRC authorizing the chair/ED to apply for appropriate external grants for Summit-related expenses

3. Formation of Summit planning think tank

XIII. Next Meeting's Agenda (Discussion Item) (5 minutes)

IVX. Adjournment

For questions about the meeting please contact Winny Loi at 554-4789

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8/02

Immigrant Rights Commission
Minutes of Special Meeting on March 18, 2002

The Immigrant Rights Commission (IRC) meeting was held on Monday, March 18, 2002 at San Francisco City Hall in Room 421, at 5:00 P.M.

Members Present Diana Lau, Isabel Huie, Medea Benjamin, Juan Berumen, Vera Haile, Phu Nguyen, Joseph Nwadiibia, Richard Ow, Marlene Tran, Houston Zheng,
Commissioner Huie left 5:40, Commissioner Berumen arrived at 5:50pm.
Commissioner Tran left at 6:15pm

Members Absent Joaquin Gonzalez & Emi Gusukuma

Others Present Dang Pham, Executive Director
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

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I. A moment of silence to observe the remembrance of the victims of September 11th.

IV. Action/Discussion

Item 2- Resolution supporting Board of Supervisor Resolution 196-01 and urging the California Congressional delegation to move towards the passage of the Permanent Partner Immigration Act. Commissioner Haile moved to adopt resolution & Commissioner Ow 2nd the motion. The Commission unanimously adopted the resolution.

Item 1- Resolution urging the San Francisco Redevelopment Agency to proceed without further delay the community-based development of the Plaza Hotel Site at 988-992 Howard Street in the South of Market earthquake recovery redevelopment and Bindlestiff Theater.
Commissioner Haile moved to adopt resolution & Commissioner Ow 2nd the motion. The Commission unanimously adopted the resolution.

VII. Proposal to hold the Summit on Immigrant Rights in San Francisco:

Item 2 - Resolution authorizing the Executive Director and the Chair of the Commission to seek funding from governmental and non-governmental sources to finance the immigrant rights summit. Commissioner Haile moved to adopt resolution & Commissioner Benjamin 2nd the motion. The Commission unanimously adopted the resolution.

Item 1 - Commissioner Lau asked the Commissioner if they had any changes on the Summit Proposal to let her know as soon as possible. If the

Commissioners do not get back to her by Wednesday, March 20th, she will assume that the Commissioners do not have any changes to propose.

II. Approval of minutes:

The following amendments to the minutes were proposed:

- Add Commissioner Zheng to members who were present for meeting.
- Item 7, the 1st sentence to the 2nd paragraph should read: Commissioner Haile mentioned that there was a joint hearing of the HRC & Board of Supervisors' (BOS) Neighborhood Services & Recreation Committee addressing Arab & Muslim communities & issues of discrimination.
- The 3rd sentence to the 2nd paragraph should read: The Immigrant Rights Commission needs to seek participation on the follow up task force with Supervisor Newsom's office.

Commissioner Ow moved to approve the amendment, which was seconded by Commissioner Nwadiibia. Commissioner Haile approved the minutes as amended and seconded by Commissioner Ow. The minutes, as amended, were adopted unanimously.

III. Amendment of Bylaws

Ms. Loi informed the Commissioners that two meeting rooms are available for IRC meeting, on the 2nd or 4th Monday of every month. Commissioner decided on the 2nd Monday of every month. Ms. Loi needs to check with the other Commissioners who were not present at the time. The Commissioners will amend the bylaws in April meeting, to change the regular meeting date from 1st Monday to 2nd Monday of every month.

VI. IRC Retreat:

Item 1- Ms. Loi submitted forms to reserve rooms for the San Francisco Public Library for April 27th & May 4th. Commissioners ask to check if the 2nd Saturday in May is also available.

Commissioner Lau advised all Committees to hold their meeting after the Immigrant Rights Commission, so the committee can work on any issues that was discussed during the meeting. The Finance & Operations Committee will hold their regular meeting & change the bylaws on meeting time & date.

Item 2- Commissioner Lau asked the commissioners to look over the agenda for the retreat & let her know of any changes or suggestions as soon as possible.

Adjournment:

The Commission meeting was adjourned at 7:00 p.m.



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

Notice of Special Meeting and Agenda

Date: April 8, 2002

Time: 5:00 p.m. to 7:00pm

Place: City Hall - Hearing Room 400
One Dr. Carlton B. Goodlett Place

AGENDA

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Note: Decision on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (Action Item) (5 minutes)
Minutes of March Meeting (Explanatory Documents)
- III. Public Comment (5 minutes)
- IV. Sunshine Ordinance Declaration Training (30 minutes)
 - V. Resolution urging the Mayor and the Board of Supervisors to maintain funding for the Asian Pacific Islander Family Hotline and to retain the hotline as a separate distinct service. (Explanatory Documents) (Action Item) (10 minutes)
- VI. Amendment of Bylaws (Action Item) (5 minutes)
Change meeting date from 1st Monday to 2nd Monday of every month.
- VII. IRC Retreat - Discussion/Action (15 minutes)
 - 1. Confirmation of Date/Place
 - 2. Agenda Planning
- VIII. First San Francisco Immigrant Rights Summit - Discussion/Action (15 minutes)
 - 1. SFF Grant Submission Update
 - 2. Formation of Summit planning think tank
 - 3. The Health Commission partnership
- IX. The Director's Report (10 minutes)
 - 1. Equal Access to Services Ordinance - A status report
 - 2. Summary of monthly activities of outside meetings and contacts
- X. Discussion/Report from the Chair (10 minutes)
 - 1. Timeliness of notification of legislative changes/events
 - 2. St. Patrick's Day Parade
 - 3. Richmond Neighborhood Meeting-Proposal for Commissioners
 - 4. Neighborhood Meeting in June/Location - Action/Discussion
- XI. Program & Access Committee Report (5 minutes)
 - 1. Report Finance Committee Hearing on EAS
- XII. Policy & Legislation Committee Report (5 minutes)
- XIII. Finance & Operations Committee Report (5 minutes)

IVX. Next Meeting's Agenda (Discussion Item)

(5 minutes)

XV. Adjournment

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Immigrant Rights Commission
Minutes of Special Meeting on April 8, 2002

The Immigrant Rights Commission (IRC) meeting was held on Monday, April 8, 2002 at San Francisco City Hall in Room 416, at 5:00 P.M.

I. Roll Call:

Members Present Diana Lau, Isabel Huie, Medea Benjamin, Joaquin Gonzalez, Emi Gusukuma, Vera Haile, Phu Nguyen, Richard Ow, Marlene Tran, Houston Zheng, Commissioner Tran left 6:15, Commissioner Haile left at 6:35pm. Commissioner Gonzalez left at 7:00pm

Members Absent Juan Berumen & Joseph Nwadiibia

Others Present Dang Pham, Executive Director
Winny Loi, Commission Secretary
William Chan, Deputy City Attorney

II. Approval of minutes:

Commissioner Haile moved to approve the minutes, which was seconded by Commissioner Benjamin. The minutes were adopted unanimously.

IV. Sunshine Ordinance Declaration Training:

Deputy City Attorneys Edward Olsen & Paul Zarefsky provided the Commission with an overview of the requirements under the Sunshine Ordinance.

III. Public Comment: Juan Ramon Cardona, Executive Director of CARECEN addressed the Commission on the funding cuts by the City for immigration services. He stated that service providers to immigrants and advocacy organizations have been disappearing due to a lack of funding support from the City. Each year the demands for immigrant programs are increasing. CARECEN, for example, has 4 programs which assists the immigrants: Legal Immigration Aid which was start in 1987; health & dental clinic which was available in 1989; after school program, which was shut down 3 years ago due to lack of funding; and the Youth Program-Second Chance, which helps x-gang members to clean themselves in the health clinic & get a GED. Mr. Cardona would like the Immigrant Rights Commission to support immigrant programs and urge the Board and the Mayor not cut the funding for the immigrants.

V. Resolution urging the Mayor and the Board of Supervisors to maintain funding for the

Asian Pacific Islander Family Hotline and to retain the hotline as a separate distinct service:

Mai Mai Ho with the director of the Asian Perinatal Advocates urged the Commission to adopt the resolution regarding funding for the Asian Pacific Islander Family Hotline (APIFH). Ms. Ho inform the Commission that APIFH is the first & only parental stress hotline in California serving six Asian and Pacific and Islander communities: Chinese, Vietnamese, Cambodian, Laotian, Filipino and Samoan. The APIFH Hotline has played a critical role in assisting API families. Staff members at these agencies are familiar with how culture influences parenting style and family relations, and cultural barriers that families might need to overcome in order to seek services. The staff members are also familiar with resources in the community that are appropriate for these families. Since February 1996, the APIFH has served over 4000 families. The services provided by APIFH does not duplicate those provided by the TALKLINE since TALKLINE serves the English & Spanish speaking families, which have different cultural needs. It would be impossible to consolidate the two programs without compromising the cultural competency required for Asian and Pacific Islander communities.

The following amendments were proposed: (1) changing the name of the resolution to: "Resolution urging the Mayor, the Board of Supervisors and the Department of Human Services to maintain existing funding levels for the Asian Pacific Islander Family Hotline and to retain the hotline as a separate and distinct service;" and on page 1, line 24 of the resolution "Whereas, the current funding of 79,034 annually to the API Family Hotline is not enough to provide hotline service in six (6) Asian Languages." Commissioner Gusukuma moved to adopt to amend the resolution, which was second by Commissioner Benjamin. These amendments were unanimously approved.

Commissioner Ow moved to amend the second Resolve clause on page 2 to urge the Mayor and the Board of Supervisors to set the funding level for the API Family Hotline for fiscal year 2003 at \$100,000. This amendment was not approved on a 2 to 7 vote against it.

Commissioner Gonzalez moved for a vote on the resolution as amended, which was seconded by Commissioner Tran. The resolution, as amended, was adopted unanimously by the commission.

VI. Amendment of Bylaws:

Resolution amending Article V, Section A of the Commission's Bylaw to change the regular monthly meeting time of the Commission. The regular monthly meeting shall be held on the Second Monday of each month, except

in the case of City recognized holidays, when the meeting shall be held on the following day of that month. Meeting shall be held at City Hall, Hearing room 416. Commissioner Ow moved to adopt amendment of Bylaws & Commissioner Huie 2nd the motion. The Commission unanimously adopted the resolution.

VII. IRC Retreat: Confirmed that the Retreat will be held at the San Francisco Main Library on Saturday, April 27, 2002 at 10:30am to 5:30pm. Commissioner Lau asked if any of the Commissioners could find a facilitator for the retreat and also asked if they could look over the agenda. Various Commissioners expressed concern that they may not be able to finish the all the items listed on the proposed agenda. It was proposed to continue the retreat to another date if all the Commission fails to finish all the agenda items. Commissioner Gusukuma made a motion to adopt the agenda, which was second by Commissioner Ow.

Adjournment: The Commission meeting was adjourned at 7:00 p.m.



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

DOCUMENTS DEPT.

Notice of Special Meeting and Agenda

Date: April 27, 2002

APR 23 2002

Time: 10:30 a.m. to 5:30 p.m.

SAN FRANCISCO

Place: Main Public Library

PUBLIC LIBRARY

Please enter through 30 Grove Street
entrance. Proceed downstairs to Lower
Level & enter in Latino Hispanic
Community Room A

AGENDA

Note: Decision on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Introduction-Objectives of the Retreat (15 minutes)
- III. About the Commissioners (the individuals) (60 minutes)
 1. What motivated you to serve on the IRC?
 2. What community needs would you like to see IRC fulfill?
 3. What skills, knowledge or experience would you like to contribute to IRC?
- IV. About the Commission (the organization) (30 minutes)
 1. Our common values and vision.
 2. Mission Statement of IRC
- V. About our accomplishments (our beneficial work) (20 minutes)

Review of Last Year's teamwork
- VI. Evaluating our current status in relation to the vision (20 minutes)
 1. *Where we are?*
 2. *Where do we wish to go?*
 3. *What's our capacity of getting there?*
 - Advisory vs. Charter Commission
 - Other empowerment options
- VII. Our relationship with the rest of the Community (20 minutes)
 1. Our Role: *The way it is vs. the way it ought to be.*
 2. Identifying constituencies
 - Primary constituency (who we serve and the needs we strive to meet)
 - Community resources (funding sources, agency partners, community members [volunteers, leadership, etc.], PR opportunities)
- VIII. Setting Annual Goals (45 minutes)
 1. Brainstorming
 2. Organizing ideas: Grouping and consolidating items
 3. Prioritizing: Ordered by:

- Prerequisites and sequence
- Feasibility
- Motivation

4. Deciding together

IX. How We Get There - Process Review

(20 minutes)

1. Strategic Planning
 - Info Gathering & Feasibility
 - Project Design
 - Budget and resources
 - Funding
 - Timeline
2. Implementation Management
 - Communication
 - Ongoing Evaluation
 - Accountability
 - Post Project Evaluation and Debriefing
 - Recognition

X. Next Steps

(30 minutes)

1. Supporting staff roles
 - Executive Director
 - Secretary
2. Our committee roles
3. The need for individual commitment

XI. Closing

(15 minutes)

1. Final comments from everyone about the retreat experience
2. Acknowledgements & good wishes

(5 minutes)

(5 minutes)

Adjournment

For questions about the meeting please contact Winny Loi at 554-4789

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapters 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, please contact:

Donna Hall, Clerk
Sunshine Ordinance Task Force
City Hall - Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
(415) 554-7724 (Office)
(415) 554-5163 (Fax)
E-mail: donna_hall@ci.sf.ca.us

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

* Copies of explanatory documents are available to the public on the Commission's webpage:

www.ci.sf.ca.us/immigrant/meeting.html; or, upon request to the Commission Secretary, at the above address or phone number.

DISABILITY ACCESS

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Immigrant Rights Commission

April 27, 2002

Immigrant Rights Commission



SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

Annual Retreat -Saturday, April 27, 2002

MINUTES

The Immigrant Rights Commission (IRC) retreat was held on Saturday, April 27, 2002 at San Francisco Main Public Library in the Latino/Hispanic Community Room A, at 10:40 A.M.

Members Present: Diana Lau, Chairperson, Isabel Huie, Vice Chair, Juan Berumen, Emi Gusukuma, Vera Haile, Joseph Nwadiabia, Richard Ow, Marlene Tran, Houston Zheng

Members Absent: Phu Nguyen, Medea Benjamin, Joaquin Gonzalez

Others Present: Dang Pham, Executive Director

Winnie Loi, Commission Secretary

Commissioner Lau, opened the retreat and welcomed the Commissioner and staff in attendance.

Purpose of the Retreat: Time away from regular meeting allow the Commission to focus on:

Examine who we are as a Commission.

Review what we have done and learned.

Consider goals and directions for the future.

Ms. Loi, secretary shared the logistics of the space. Commissioner Lau introduced the facilitator for the day-Scott W. Walton.

Mr. Walton has worked in nonprofit management and consultation for 18 years. Mr. Walton is currently the Director of Development for Episcopal Community Services of San Francisco, a nonprofit agency that provides programs and services to homeless and very low-income adults and families.

Mr. Walton shared the process for the Retreat day:

Hope all (staff and commissioner members) will participate. Share your thoughts & ideas.

All comments are valid. Please listen as well as share.

Include "frustrations" by sharing what you want to see. Address what can be changed-the future.

In making comments, immediate decisions are not the goal. Today's efforts create shared knowledge and groundwork.
Key points will be recorded to be summarized later.
General agenda, breaks and lunch schedule were presented.

About the Commissioners (the individuals)

Individual commissioners shared how long they have been in San Francisco and what motivated them to serve on the IRC. These reasons included:

Being an immigrant.

Importance of community support and giving time.

The concerns and issues of minorities.

Personal experience drives helping others.

Awareness of the needs and access issues of SF immigrants.

Years of work dedicated to issues of and for immigrants.

Language and translation issues in personal and public lives.

Experience and awareness of discrimination, racism.

A commitment to immigrants.

What skills, knowledge and experience of the commissioner and staff make up part of the IRC resources:

Personal experience.

Work experience.

Diverse skills.

Education.

Awareness of the community and needs.

Language skills.

Community work, connections and networks.

Advocacy work.

Experience and connections in related communities.

Time given to meetings and efforts.

Mission Statement of the IRC.

The mission of the Immigrants Rights Commission is to improve, enhance and preserve the quality of life and civic participation of all immigrants in the City and County of San Francisco.

To further this goal, the Commission:

Educates and inspires immigrants to advocate for justice for themselves and their communities;

Promotes civic participation and mutual respect for all groups;

Provides information about immigration law and policy to immigrants and their advocates in an effort to raise awareness among immigrants;

Collaborates with immigrants, community organizations and city agencies to create innovative and constructive solutions to issues involving immigration policy; and

Advises and makes recommendations to the Board of Supervisors and the Mayor concerning issues affecting the immigrant community.

The group discussed the mission statement briefly. It was generally shared that it is an effective statement. The only "additions" would be the scope of the Commission could be beyond San Francisco and that it could take a leadership role with community-based organizations that serve immigrants.

The accomplishments of the IRC especially during the past year. This listing was split into the EXTERNAL work of the Commission in the community and the success that was INTERNAL to the IRC.

EXTERNAL ACOMPLISHMENTS: listing in not in any special order.

Community visibility: meetings, staff outreach and participation in other meetings,

attending related community events.

Work regarding issues with the 2000 Census, especially undercounts of immigrants.

Equal Access Ordinance passed in 7/2001. Tier One agencies total 16.

Monitoring the EASO.

Multi-lingual EASO brochure.

Meeting with SF Supervisors.

Holding neighborhood meetings and quarterly town hall meetings.

San Francisco declared a Sanctuary City.

Proclamation of September 10, 2001 as the City's Immigrant Rights Day by the Mayor.

IRC joined with other to react to CA State cuts in services to immigrants.

Hearing the specific concerns of immigrants who come before the IRC. In particular, a deportation issue was mentioned as an example. Listening and responding when possible.

Working with SF Unified School District on related immigrant issues.

Participating in local events and a rally related to immigrant issues and communities.

Creating a tradition of participation in major parades in the City, starting with the Immigrant Day Parade and the St. Patrick's Day Parade.

15 resolutions developed and passed in a year.

First-time celebration for the IRC's fourth anniversary and to increase the Commission's visibility in the community.

Meeting with other commissioners, such as the Human Rights Commission, Health Commission.

Creating the First San Francisco Immigrant Rights Summit- to be held 9/2002.

INTERANL ACCOMPLISHMENTS: listing is not in any special order.

The fact that the IRC exists in SF. It holds a unique place in the nation.

The work to strengthen the structure of IRC.

Creating the orientation manual and process for the new commissioners.

Formalize the agenda structure of the monthly commission meetings.

Efforts and ability to follow-up on issues.

Better communication with people who come before the IRC-regular follow-up thank-you letters for every presenting group/individual.

Creating an IRC banner for a more professional appearance and to increase visibility.

Participating in hearings, events and conferences.

Regular monthly meetings with the City Administrator.

Regular monthly Committee meetings reinstated for the 2 committees of the Commission.

The relationship of IRC with community: What are the constituencies of the IRC?

Immigrants, especially limited or non-English speaking immigrants.

Local elected officials and their staff members.

Individuals who come before the IRC.

Individuals who need the support of the IRC.

Community-based organizations that serve immigrants.

People needing referral/advocacy.

The SF Unified School District and other education systems.

The INS.

Individuals with issues dealing with vocational and job issues, housing, education, English as a second language, the health care system, law enforcement, and other "everyday" issues made more difficult by language barriers, cultural differences and/or immigrant status.

Other City Commissions and City departments

The Board of Supervisors and the Mayor of SF

Looking back at the past year,

What has worked and should continue?

Helping Individuals

Landmark legislation

Quarterly townhall meetings
 Outreach efforts
 Hearings
 Website
 Lead time and advance notice

What more is needed?
 Be more effective in helping
 Strengthen legislation
 More access for immigrants
 More outreach
 Identify important issues
 Identify emerging issues
 Follow up with individuals
 Streamline response process

When you are looking back a year from now (May 2003), what would you like to be able to list as the IRC successes of the past year?
 IRC Summit of 9/2002 a success: # who turnout, expanded network, etc.
 IRC has an office
 IRC has increased power/leverage; IRC becomes a Chartered Commission
 Full and meaningful Full and meaningful compliance with EASO
 Expanded and centralized referral booklet to be printed in multiple languages for the immigrants in SF
 San Francisco is a kinder, gentler city for immigrants
 Improved and faster ability for IRC to respond
 More resources (money, people, space and materials) to do IRC work.
 IRC has its own budget

What is next for IRC? This begins the list of options - possible goals and objectives.
 (This list is in no particular order and was generated in sessions before and after lunch. Items were grouped together and expanded throughout the two brainstorming sessions.) This is a LONG list but later discussions and activities took steps to identify priorities.

Increase Attendance and Participation of IRC Commission Members.
 Follow-up on the attendance policy.
 Work to fill IRC vacancies:
 Review current members' terms.
 Review by-laws related to commission membership.
 Increase diversity.
 Recruit candidates.
 Pursue appointments through the government process. Advocate for appointments.
 Expand IRC's role in the appointment process of new commissioners.
 Expand Resources: Money and Domain
 Money: IRC having a defined budget from other SF funding.
 Space: IRC having an office.
 Power: Expand the role, influence and power of the IRC. Become a "chartered" commission.
 People: Increase the IRC's people power: all IRC seats filled, volunteers, an internship program to expand staffing, etc.
 Increase IRC visibility
 More IRC involvement with other commissions & community events.
 Parade participation.
 Website expansion and work to increase traffic to site.
 Create a logo.
 Better media contacts; be media proactive.
 Television: City channel.

Focus on ethnic media.
 Neighborhood papers.
 Radio
 IRC become a "feared watchdog"
 IRC increase both its weight and leverage.
 Create an IRC report card "grading" progress every year.
 Strengthening and increasing IRC's networks.
 City departments and officials
 Give certificates and recognitions
 Proclamations
 Request reports from city departments and programs to further IRC work.
 IRC becomes a good referral source.
 Follow-up with individuals who come before the commission.
 Website expansion, including links.
 Begin to develop the referral list at the IRC Summit for later publishing in multilingual format.
 More participation in the community
 Attend meetings of other groups.
 Outreach to immigrant groups, especially newly emerging groups of immigrants.
 Outreach to identify under-served groups.
 Reports by commissioners and staff about the meetings they attend.
 Reports/announcements about meetings that commissioners and staff may attend.
 Promote San Francisco as a City of Immigrants
 Mayor's proclamation for IRC Summit
 SF is "open" for immigrants. SF is a welcoming city.
 Address Government bills and initiatives at the local, state and national level.
 Awareness of issues
 Investigate, discuss and take positions
 Educate immigrants and groups about issues and legislation that may effect them.
 Promote voter registration and access.
 Translation and Language Access Issues
 Hold a hearing regarding progress of EAO: Tier One departments.
 Hold small group input sessions with immigrants and immigrant groups.
 Increase access to IRC events. Provide transparencies in multiple languages.
 Proclamation that SF is a city of English Plus.
 IRC Internal communication.
 Notice lead time about IRC events and other meetings that commissioners can attend.

Immigrants Rights Summit is a success

After creating the previous list of brainstormed options, the group proceeded with an exercise to begin the process of identifying the group's sense of priorities. Each commissioner and staff member was given five colored stickers. The one red sticker was to be used to mark the most important item on the list in each person's opinion; the other four stickers were used to identify four other important priorities. People were allowed to mark any of the headings or a specific component under the headings. This was NOT a vote but simply an exercise to identify some priorities so that they can be discussed further.

The following are the priorities that surfaced in this exercise. The number to the right gives a relative value how each item relates to the others.

More participation in the community (11)
 Attend meetings of other groups.
 Outreach to immigrant groups, especially newly emerging groups of immigrants.
 Outreach to identify under-served groups.
 Reports by commissioners and staff about the meetings they attend.

Reports/announcements about meetings that commissioners and staff may attend.

Immigrants Rights Summit is a success (9)
 Translation and Language Access Issues (6)
 Hold a hearing regarding progress of EASO: Tier One departments. (1)
 Hold small group input sessions with immigrants and immigrant groups.
 Increase access to IRC events. Provide transparencies in multiple languages.
 Proclamation that SF is a city of English Plus. (1)

IRC becomes a good referral source. (6)
 Follow-up with individuals who come before the commission.
 Website expansion, including links.
 Begin to develop the referral list at the IRC Summit.

Expand Resources: Money and Domain
 Money: IRC having a defined budget from the City as well as seeking other funding sources for events and programs. (5)

Work to fill IRC vacancies: (4)
 Review current members' terms.
 Review by-laws related to commission membership.
 Increase diversity and representation of ethnic groups.
 Recruit candidates.
 Pursue appointments through the government process. Advocate for appointments.

Address Government bills and initiatives at the local, state and national level. (4)
 Awareness of issues
 Investigate, discuss and take positions
 Educate immigrants and groups about issues and legislation that may effect them.
 Promote voter registration and access.

Increase Attendance and Participation of IRC Commission Members. (3)
 Follow-up on the attendance policy.

Better media contacts; be media proactive. (3)
 Television: City channel.
 Focus on ethnic media.
 Neighborhood papers.
 Ethnic radio programs
 Meeting agenda to be faxed to major ethnic media a few days prior to the meeting

Strengthening and increasing IRC's networks. (3)
 City departments and officials
 Give certificates and recognitions
 Proclamations
 Request reports from city departments and programs to further IRC work.

IRC become a "feared watchdog" (3)
 IRC increase both its weight and leverage.
 Create an IRC report card "grading" progress every year. (2)

Promote San Francisco as a City of Immigrants (2)
 Mayor's proclamation for IRC Summit
 SF is "open" for immigrants. SF is a welcoming city.

Increase IRC visibility

More IRC involvement with other commissions & community events. (1)

After the above exercise was completed, the following items were marked by the group as goals/objectives that would not require many resources or much time to begin to address. Some of these items were also marked in the initial priority exercise as well.

Increase Attendance and Participation of IRC Commission Members.
 Work to fill IRC vacancies:
 Expand IRC's role in the appointment process of new commissioners.
 Increase IRC visibility
 Better media contacts; be media proactive.
 Strengthening and increasing IRC's networks.
 More participation in the community
 IRC Internal communication.

For the final exercise of the day, the group looked at the top four prioritized items. For each of these items, the group identified some "next steps" to take. Being one of the highest priorities identified and with its pending date of 9/2002, the IR Summit was the first of the priorities discussed.

NEXT STEP IDEAS for the Top Priorities as Identified.

IMMIGRANTS RIGHTS SUMMIT IS A SUCCESS

Establish Advisory Committee to include IRC, city and community-based organizations.

Set Agenda & Contents, Goals & Objectives.
 Determine logistics.
 Identify Speakers, especially Keynote speaker.
 Pursue funding and grants - Amount will determine scope of the summit.
 Outreach for participation: flyers, mailing list, press contacts, press releases.

MORE PARTICIPATION IN THE COMMUNITY

Commissioners and Staff report on attendance at community events and meetings.
 Report on planned attendance and events where IRC representation would be helpful.

Communicate events and schedule options to the IRC commissioners.
 Create a feedback plan so commissioners can exchange information about community participation.
 Website postings about community events.
 IRC Commissioners and staff promote IRC to other groups they are personally involved in.
 Identify and contact "new" and emerging groups of immigrants.

TRANSLATION AND LANGUAGE ACCESS: EASO ISSUES

Create and distribute a bilingual complaint form.
 Hold a meeting with Tier 1 representatives regarding progress.
 Post EASO information on IRC website, including Tier One agencies.
 Hold a Hearing regarding EASO implementation.
 Hold smaller group or organization-based meetings to get further feedback.
 IRC discussion regarding Tier 2 organizations, as well as consideration of Tier 3 - targeting organizations beyond San Francisco's City departments.

IRC BECOMES A GOOD REFERRAL SOURCE

Begin a referral list and publish list in multilingual format.
 Continue to expand referral list as IRC members attend events and meetings.
 Make the referral list one of the outcomes of the IR Summit.
 Multi-lingual voicemail system.

Develop a means to review referrals.

Use website links and reciprocal linking to expand referrals.

Attempt to identify alternatives for most referral issues, giving people a choice.

Adjournment: The Commission meeting was adjourned at 5:15 p.m.

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CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

DOCUMENTS DEPT.

Notice of Meeting and Agenda

MAY 10 2002

Date: May 13, 2002

Time: 5:00 p.m. to 7:00pm

Place: City Hall - Hearing Room 416

One Dr. Carlton B. Goodlett Place

SAN FRANCISCO
PUBLIC LIBRARY

AGENDA

Note: Decision on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (Action Item) (5 minutes)
Minutes of April Meeting (Explanatory Documents)
- III. Public Comment
- IV. Draft a letter to Michael Jeffries, Chair & CEO of Abercrombie & Fitch- (10 minutes)
Regarding the graphic tee shirts with Chinese characters and public
allegations of racism (Discussion/Action)
- V. Draft a letter to the Police Commission addressing the growing problem of
immigration consultant fraud in the Bay Area.
(Explanatory Documents) (Discussion/Action Item)
- VI. Resolution urging the Mayor and the Board of Supervisors to provide (5 minutes)
supplemental funding to the Central American Resource Center (CARECEN) to
keep providing legal services to immigrants without disruption or reduction
from its current levels. (Explanatory Documents) (Discussion/Action Item)
- VII. Resolution urging the Mayor, the Board of Supervisors and the Department of (5 minutes)
Human Services to maintain existing funding levels for the Asian Pacific
Islander Family Hotline and to retain the hotline as a separate and distinct
service. (Explanatory Documents) (Discussion/Action Item)
- VIII. Participatory List of Parade Events (Discussion/Action/Sign-Up List) (5 minutes)
 - 1. Immigrant Day-Save the Safety Net Lobby Day-Mon., May 20, 2002 (10 minutes)
 - 2. Pride Parade- Sunday June 30, 2002
 - 3. Chinese New Year
 - 4. St. Patrick's Day
 - 5. Cesar Chavez
 - 6. Immigrant Pride Day
- IX. First San Francisco Immigrant Rights Summit - Discussion/Action (10 minutes)
 - 1. SFF Grant Submission Update
 - 2. Formation of Summit planning think tank
 - 3. The Health Commission partnership
- X. The Director's Report (10 minutes)
 - 1. Equal Access to Services Ordinance - A status report

* Copies of explanatory documents are available to the public on the Commission's webpage: www.ci.sf.ca.us/immigrant/meeting.html; or, upon request to the Commission Secretary, at the above address or phone number.

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Immigrant Rights Commission**May 13, 2002****Immigrant Rights Commission****Immigrant Rights Commission****Minutes of Meeting on May 13, 2002**

The Immigrant Rights Commission (IRC) meeting was held on Monday, May 13, 2002 at San Francisco City Hall in Room 416, at 5:00 P.M.

I. Roll Call:

Members Present Diana Lau, Isabel Huie, Medea Benjamin, Juan Berumen arrived at 6:15pm, Joaquin Gonzalez, Emi Gusukuma, Vera Haile, Joseph Nwadibia, Richard Ow, Marlene Tran, Houston Zheng, Commissioner Tran left 6:20, Commissioner Haile left at 6:15pm. Commissioner Ow left at 6:50pm.

Members Absent Phu Nguyen

Others Present Dang Pham, Executive Director
William Chan, Deputy City Attorney

II. Approval of minutes:

Commissioner Gonzalez moved to approve the minutes, which was seconded by Commissioner Haile. The minutes were adopted unanimously.

III. Public Comment:

Karen Hart, Private Industry Council of the San Francisco Refugee Coordinator and County Refugee Coordinator for San Francisco, spoke to the commission about the drastic decrease in Federal dollars for refugee employment services. Ms. Hart indicated that the Council provides employment and acculturation services over 200 refugees requiring a service budget of \$835,000. She asked the Commission for assistance with funding.

Inna Paulua from the Employment Director with the Jewish Vocational Services (JVS), stated that the decrease funding to her organization would adversely affect immigrants. The JVS provides job placements and training services for disadvantage population, including non-English speaking refugees, youth and adult with disability, adult with disability. A budget cut reduce the services that JVS provides to the refugee population. She asked the Commission for support their group.

Juan Ramon Cardona, Executive Director of CARECEN addressed the Commission on the funding cuts by the City for immigration services. He met with the Policy & Legislation Committee to work on the Resolution to support funding for CARECEN. He stated that service providers to immigrants and advocacy organizations have been disappearing due to a lack of funding support. Each year the demands for immigrant

programs are increasing. Mr. Cardona would like the Commission to urge the Board and the Mayor not cut the funding for the immigrants.

Marcia Perez, the Legal Director of CARECEN, spoke in support of the resolution urging the Mayor and the Board of Supervisors to maintain funding for CARECEN.

Samuel Contreras, a former client of CARECEN, spoke in support of the resolution urging the Mayor and the Board of Supervisors to maintain funding for CARECEN.

Margi Dunlap from the International Institute of San Francisco (IISF) spoke to Commission regarding the federal government's effort to restrict the ability of refugees to re-settle in the US after September 11. She asked the Commission for assistance in this issue.

IV. Draft a letter to Michael Jeffries, Chair & CEO of Abercrombie & Fitch: Commissioner Ow moved to adopted letter.

Commissioner Gonzalez moved to amend the resolution to state how serious this issue is & that the IRC has great concerns over these allegations that we heard and want to have more clarifications from them by inviting them to the meeting. Commissioners move to adopt the letter as amended. The Commission unanimously adopted the letter, as amended.

V. Draft a letter to the Police Commission addressing the growing problem of immigration consultant fraud in the Bay Area:

Commissioner Ow moved to adopted letter. Commissioner Haile seconded this letter and was adopted unanimously.

VI. Resolution urging the Mayor and the Board of Supervisors to provide supplemental funding to the Central American Resource Center (CARECEN) to keep providing legal services to immigrants without disruption or reduction from its current levels.

Commissioner Haile proposed the following amendments: Delete 1st page lines 22 and 23 on 3rd page, lines 4,5 and 6.

Commissioner Gonzalez proposed to amend the title of the resolution to read as follows: "Resolution urging the Mayor and the Board of Supervisors to continue supplemental funding to the Central American Resource Center (CARECEN) to keep providing legal services to immigrants without disruption or reduction from its current levels."

Commissioner Gonzalez move to approve the amendments, which was seconded by Commissioner Nwadiibia and was approved unanimously. Commissioner Haile moved the resolution as amended, which was seconded by Commissioner Nwadiibia. The Commission adopted unanimously the resolution, as amended.

VII. Resolution urging the Mayor, the Board of Supervisors and the Department of Human Services to maintain existing funding levels for the Asian Pacific Islander programs such as the In Home Visitation program, which provide culturally relevant and sensitive services to the City's immigrant population.

Mai Mai Ho, the director of the Asian Perinatal Advocates (APA), spoke in favor of the resolution. She informed the Commission that the program Home Visitation Program serves 5 Asian sub groups and is the cornerstone of APA. The Program makes the first contact with builds a bridge between the agency and at risk immigrant families.

The program provides new families receive three in-home visits in their first month, drawing the families out of isolation and into the community by offering emotional support and additional services. The extended family support model has

proven highly successful for Asian Pacific Islander families.

The In Home Visitation Program is the primary child abuse prevention program for API families in San Francisco. It is also the only hospital based in-home support program in California specifically serving high-risk Asian newcomers in transition and has proven to be cost-effective and successful.

In the current fiscal year, the City provided \$75,000 to help support the program. However, for the next fiscal year, the Mayor's office has indicated the City would not be able to provide the same funding as the current fiscal year due to economic downturn.

Mai Mai Ho proposed the following amendments: (1) page 1 on line 23 should read: "Whereas, The In Home Visitation Program provides in home counseling addressing problems spanning from social isolation, neglect, cultural adjustment, substance abuse, behavioral/emotional health problems, single parenthood, criminal involvement, housing, and under-employment; and," (2) page 2 line 13, should have a right parenthesis after "community."

Commissioner Gonzalez proposed to amend the title to read as follows: "Resolution urging the Mayor, the Board of Supervisors and the Department of Human Services to maintain existing funding levels for Asian Pacific Islander programs, such as the In Home Visitation program, which provide culturally relevant and sensitive services to the City's immigrant population."

Commissioner Benjamin moved to amend the resolution with the proposed changes, which was seconded by Commissioner Gusukuma and approved unanimously. Commissioner Gusukuma moved to adopt the resolution, as amended, which was seconded by Commissioner Berumen. The Commission unanimously adopted the resolution, as amended.

Special Meeting: Commissioner Lau asked for a special meeting to talk about the retreat and to finish the May's agenda. The Commissioners agreed to hold a special meeting on Wednesday, May 29, 2002 from 5-7pm. Commissioner Lau wanted to address the 4 goals in the retreat: 1st Immigrant Summit, 2nd Increase participation in the community, 3rd translate EAS, 4th become a good referral source.

Pride Parade: Director Pham past out the sign in sheet to see how many Commissioners can participate in the parade. Commissioner Ow made a motion to participate in the parade, which was seconded by Commissioner Huie. The Commission unanimously approved the motion.

Summit: Commissioner Lau reported that she joined Director Pham that morning to meet with Jack Moshbacher to look at the rooms at the Bill Graham Civic Auditorium. Director Pham proposed two dates for the summit, Saturday, September 14th or Thursday, September 19th. He stated that the Mayor suggested that the IRC hold the summit on a Saturday to have a better turn out. Commissioner Gonzalez moved to have the IRS Summit on Saturday, September 14th, which was seconded by Commissioner Ow. The Commission unanimously approved the motion.

Adjournment: The Commission meeting was adjourned at 7:00 p.m.

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CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

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MAY 28 2002

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Notice of Meeting and Agenda

Date: May 29, 2002

Time: 5:00 p.m. to 7:00pm

Place: City Hall - Conference Room 421
One Dr. Carlton B. Goodlett Place
AGENDA

Note: Decision on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Public Comment
- III. Marketing of Abercrombie & Fitch's graphic T-shirts. - Discussion.
- IV. First San Francisco Immigrant Rights Summit - Discussion (75 minutes)
 - 1. SFF Grant Submission Update
 - 2. Formation of Summit planning think tank
 - 3. The Health Commission partnership
- V. The Director's Report (5 minutes)
 - 1. Equal Access to Services Ordinance - A status report
 - 2. Summary of monthly Activities of Outside Meetings and Contacts
 - 3. Neighborhood Meeting in June/Location - Discussion
 - 4. Terms of the Commissioners
- VI. Discussion/Report from the Chair (10 minutes)
 - 1. Review of Retreat Write-up and follow-up Discussion
 - 2. Timeliness of Notification of Legislative Changes/Events - Discussion
 - 3. Intern Volunteers- Discussion
 - 4. Report from All Commissioners-Outside Meetings and Contacts
- VII. Program & Access Committee Report (5 minutes)
- VIII. Policy & Legislation Committee Report (5 minutes)
- IX. Finance & Operations Committee Report (5 minutes)
 - Next Meeting's Agenda (Discussion Item) (5 minutes)
- Adjournment

For questions about the meeting please contact Winny Loi at 554-4789

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The meeting location is between Grove and McAllister Streets and is wheelchair accessible. The closet BART and Muni Metro Station is Civic Center, about three blocks from the meeting location. Accessible Muni lines nearest the meeting location are:

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Immigrant Rights Commission

May 29, 2002

Immigrant Rights Commission



Immigrant Rights Commission

Special Minutes of Meeting on May 29, 2002

The Immigrant Rights Commission (IRC) meeting was held on Monday, May 29, 2002 at San Francisco City Hall in Room 421, at 5:00 P.M.

I. Roll Call:

Members Present Diana Lau, chairperson arrived at 5:20pm, Medea Benjamin, Joaquin Gonzalez, Emi Gusukuma, Vera Haile, Phu Nguyen, Joseph Nwadibia arrived at 5:30pm, Richard Ow, Marlene Tran, Commissioner Tran left 6:20, Commissioner Ow left at 6:10pm.

Members Absent Juan Berumen & Isabel Huie, Vice chair, Houston Zheng

Others Present Dang Pham, Executive Director

Winny Loi, Commission Secretary

V. First San Francisco Immigrant Rights Summit:

Commissioner Lau asked the Commissioners to review the proposed list of names of the organization. These are potential organizations that would help with planning the summit. She asked the Commissioners for some feedback on which they should invite for the planning process for the Summit. Commissioner Gusukuma suggested that only Community Based Organization (CBO) be asked to help with the process. Commissioner Tran concurs. Commissioner Tran also suggested that the matters considered in the summit should be limited to 4 to 5 topics. The Policy & Legislation Committee is assigned the task of planning the programs for the summit. The first planning meeting is set for June 13, 2002 in City Hall basement in room 34 from 10am to 12pm.

IV. Resolution strongly appealing to the Mayor and Board of Supervisors not to reduce the budget for all immigrant services in the City and County of San Francisco Commissioners Ow & Benjamin proposed to amend page 1 lines 15-17 to read as follows: "Whereas, The proposed California and San Francisco budget threatens to slash all government service and funding by approximately 10 percent, seriously affecting immigrant communities in the City and County of San Francisco; now, therefore, be it."

Commissioner Haile moved to adopt the resolution as amended, which was second by Commissioner Gonzalez. The Commission unanimously adopted the resolution.

Adjournment: The Commission meeting was adjourned at 6:20 p.m. due

to the loss of quorum.

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Immigrant Rights Commission

June 10, 2002

Immigrant Rights Commission



Amend Notice of Meeting and Agenda

Date: June 10, 2002

Time: 6:00 p.m. to 8:00pm

Place: 66 Raymond Ave. in San Francisco

Off Bayshore Ave. around the corner of the 7-11 store

AGENDA

Note: Decision on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (Action Item) (5 minutes)
(Explanatory Documents: Minutes of May 13 & 29 meeting)*
- III. Resolution strongly urging the Mayor, Board of Supervisors, Department of Children, Youth, and their Families, to continue its budgetary support for immigrant youth and children services and to establish a youth center in the South of Market.
Discussion/Action (5 minutes)
- IV. Resolution authorizing the Executive Director of the Commission to negotiate and execute a memorandum of understanding with the Department of Aging and Adult Services on the transfer of responsibility to administer state grants for Naturalization and Citizenship Education.
(Explanatory Documents) Discussion/Action (10 minutes)
- V. Public Comment (Discussion Item) (110 minutes)

Invite:

Supervisor Mark Leno
 Supervisor Sophie Maxwell
 Captain Mike Puccinelli - Bayview Police Station
 Captain Kevin Dillon-Ingleside Police Station
 Robert Lopez or Jay Lu - Dept of Transportation
 Gregg Fortner - Housing Authority
 Dr. Frances Lee - City College of SF
 Joanne Low - Chinatown Campus
 Dr. Veronica Hunnicutt - SouthEast Campus
 Susan Kagehiro - Chief Development Office of Unified School District
 Gordon Mar - Northern California Citizenship Project
 Leo Chyi - Chinese for Affirmative Action
 Gerald Green - Planning Department
 Jill Tregor - Intergroup Clearing House

Next Meeting's Agenda (Discussion Item) (5 minutes)
Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

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DISABILITY ACCESS

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The meeting location is between Grove and McAllister Streets and is wheelchair accessible. The closest BART and Muni Metro Station is Civic Center, about three blocks from the meeting location. Accessible Muni lines nearest the meeting location are:

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Immigrant Rights Commission
Minutes of Meeting on June 10, 2002

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The Immigrant Rights Commission (IRC) meeting was held on Monday, June 10, 2002 at Visitacion Valley Community Center at 66 Raymond Ave. in San Francisco at 6:00 P.M.

I. Roll Call:

Members Present Diana Lau, chairperson arrived at 6:25pm, Medea Benjamin, Vera Haile, Phu Nguyen, Joseph Nwadiibia arrived at 6:30pm, Richard Ow, Marlene Tran, Houston Zheng, Commissioner Zheng left at 6:55pm, Commissioner Ow left at 8:00pm

Members Absent Juan Berumen, Isabel Huie, Vice chair, Joaquin Gonzalez, Emi Gusukuma

Others Present Dang Pham, Executive Director
Winny Loi, Commission Secretary

II. Approval of minutes for May 13 & 29, 2002:

Commissioner Haile moved to approve the minutes, which was seconded by Commissioner Ow. The minutes were adopted unanimously.

III. Resolution strongly urging the Mayor, Board of Supervisors, Department of Children, Youth, and their Families, to continue its budgetary support for immigrant youth and children services and to establish a youth center in the South of Market.

Commissioners move to adopt the resolution. The Commission unanimously adopted the resolution.

IV. Resolution authorizing the Executive Director of the Commission to negotiate and execute a memorandum of understanding with the Department of Aging and Adult Services on the transfer of responsibility to administer state grants for Naturalization and Citizenship Education.

Commissioner Ow moves to approve the resolution, which was seconded by Commissioner Tran and was approved unanimously

V. Public Comment: 1. Mr. Lee addresses his concerns to the commission about housing assistance. Many Asians move to Visitacion Valley area, because of lower pricing of homes in that area. For this reason 2 problems are created. First, there are a great number of families who are low-income that reside in this area. Secondly, there are a number of people who do not speak or understand English. He received a letter from the SF Housing Authority Section 8 program, but the letter is written in English. When he was notified, he had to bring an interpreter. This makes it difficult for the new immigrants. After the interview he brought the form & needed the owner's signature. The owner did not understand English either and

would not take any legal responsibility. He refuses to sign his name & he was unable to get subsidies. In the future, if someone wants to apply for low-income housing or senior citizen housing, what are they supposed to do? He also suggested that the language should not put too much pressure towards the owners of the property, so that they will cooperate with the government agency to make the process easier. Also, to have forms & some information in Chinese.

2. Ms. Wong addresses her concerns to the commission of an incident that happened on the bus. During her bus ride from the airport to the city, an African American woman hit her with a newspaper & called her names and everyone on the bus laughed at her. She wanted to report the incident but could not, since there was no police officer to assist her with Mandarin only Cantonese. There was also another incident that happened in the school with her son. He was beaten up, because he cut in line. After that incident he was afraid to go to school. They did not pursue the situation, because they cannot communicate with the schools. She addressed that there should be more bilingual services to assist parents.

3. Captain Dillion described this incident as a hate crime. They have a special unit that specializes in Hate Crime. Their department works with AT&T to do translation. He addressed that they are trying to recruit more bilingual officers.

4. Jill Tregor with Intergroup Clearing House is specialized in hate crime. They can get help from her organizations. She brought some brochures that are translated to Chinese, she also mentioned that there are bilingual workers who can assist them. She also stated that she will talk with SamTramn so next time these incidents will not happen again.

5. Susan Kehero with the Unified School District said that she would follow up & investigate this issue, and also talk with the high school.

6. Robert Lopez with MUNI specified that this incident happened on SamTramn & not the MUNI, but he can call & talk to them about how they can assist if this type of situation happens.

7. Leo Chi with Chinese for Affirmative Action gave the public some information. He stated that Asian Law Caucus & Employment Law Center could assist you with any legal matter. He also informed the audience that there is free legal help every Wednesday at their center.

8. Ms. Wong addressed to the commission about increasing bilingual classes for vocational training, job placement & assistance that related to

job placement, computer classes and citizenship classes.

9. Mr. Au addressed to the commission that he has been here for over 30 years. He has been beaten and robbed. He asked if the street lights can be brighter in the Visitation Valley area. When you have brighter lights it prevents people from getting robbed. He thanked the 2 Captains that the safety has improved through the years.

10. Mr. Mak addressed to the Supervisor Maxwell to attend more community meetings so she can have a better understanding of the needs of the community.

11. Ms. Chu addressed to the commission that she applied for section 8, but all the materials are in English. She relied on someone to help her fill out the application forms. We don't speak English, but we do pay taxes, so why are there no services to help us. 1st she suggested that there should be services to protect the rights of new immigrants. 2nd Section 8 department should explain to the landlord and cooperate so those applicants will get these benefits.

12. Ms. Jing addressed to the commission to set up bilingual computer classes. She suggested having bilingual classes on Friday, Saturday and Sunday. She also suggested building bigger schools in the Visitation Valley area and having more vocational training.

13. Ms. Tam addressed to the commission to set up 2 additional bus stops on the 9ax. When you have young children & carrying lots of groceries, it's long & difficult walk to get back home. She would like Muni to add 2 more bus stops in that area.

14. Ms. Fong addressed to the commission that she has been here for 2 years and does not feel safe in this neighborhood. She has been beaten & robbed. A few days later she heard that this incident has been going on for a while. Someone also broke into her house and the police just briefly took down the information, she feels that they did not do a thorough search or get their fingerprints. She feels scared and asked if more police officers can patrol this area more often to prevent this from happening again.

15. Mr. Au came here 3 years ago. His son was taking the 15-bus home from a classmate's house. He was robbed & beaten by 3 African American kids. His son is 16 years old and is frightened. As parents, they have limited English skills, which they were not able to file a police report. He would like the police to increase police patrol and also hire more bilingual

officers for this area.

16. Ms. Lui has been here for 3 years & has been robbed 5 times. Last year her husband walked behind her to take her to the bus stop everyday, unfortunately she was robbed and also beaten. She goes to work in fear everyday. She would like to increase more police patrol for this area.

17. Ms. Lee addressed to the commissioners that while she goes jogging every morning, she would see these dogs out without leashes or muzzle. The dogs would run up to her to bite her. She feels unsafe being attacked by a dog. She stated that the owner should either have a leash or a muzzle so she would feel safe.

Adjournment:

The Commission meeting was adjourned at 6:55 p.m. due to lack of quorum.



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

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Notice of Meeting and Agenda

Date: July 8, 2002

JUL 8 2002

Time: 5:00 p.m. to 7:00pm

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Place: City Hall - Hearing Room 416

One Dr. Carlton B. Goodlett Place

AGENDA

Note: Decision on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (Action Item) (5 minutes)
Minutes of June Meeting (Explanatory Documents)
- III. Public Comment
- IV. First San Francisco Immigrant Rights Summit - Discussion/Action (30 minutes)
 - 1. Introduction to Summit Coordinator-Lucky Choi - Report/
Discussion/Explanatory documents
 - 2. Update on the SFF Grant for the Summit
 - 3. Summit meeting report
 - 4. Awards Nomination Committee
- V. The Director's Report (5 minutes)
 - 1. Equal Access to Services Ordinance - A status report
 - 2. Summary of monthly Activities of Outside Meetings and Contacts
- VI. Pride Day Parade Report (5 minutes)
 - 1. Houston Zheng coordinator for the event
- VII. Discussion/Report from the Chair (20 minutes)
 - 1. Neighborhood Meeting- Discussion/Action
 - a. Certificate of appreciation
 - b. Debriefing
 - c. Planning for next meeting in September
- VIII. Program & Access Committee Report (5 minutes)
- XII. Policy & Legislation Committee Report (5 minutes)
- XIII. Finance & Operations Committee Report (5 minutes)
- IX. Next Meeting's Agenda (Discussion Item) (5 minutes)
- XV. Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

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Immigrant Rights Commission

July 08, 2002

Immigrant Rights Commission



Immigrant Rights Commission

Minutes of Meeting on July 8, 2002

The Immigrant Rights Commission (IRC) meeting was held on Monday, July 8, 2002 at San Francisco City Hall in Room 416, at 5:00 P.M.

I. Roll Call:

Members Present The meeting was called to order on 5:05 pm. Commissioners Huie, Gonzalez, Gusukuma, Haile, Nguyen, Nwadiibia, Ow, Tran, and Zheng were present. Commissioner Lau arrived at 5:10pm. Commissioners Benjamin and Berumen were excused. Commissioner Tran left at 6:28pm, Commissioners Zheng and Ow left at 6:45pm

II. Approval of minutes for June 10, 2002:

Commissioner Haile moved to approve the minutes, with the following changes for public comment: "Mr. Lee states that he received a letter from the SF Housing Authority Section 8 program, but the letter was written in English." Ms. Loi mentioned that the spelling of "Visitacion Valley" will be corrected in the minutes. Commissioner Haile moved to approve the amended minutes, & Commissioner Gusukuma seconded the motion. The minutes, as amended, were adopted unanimously.

IV. First San Francisco Immigrant Rights Summit

1. Introduction of Summit Coordinator Lucky Choi- Lucky Choi was introduced to the Commission. Mr. Choi has been involved in the community & has done various types of conferences. He has also participated in different roles in all types of conferences.

Commissioner Gonzalez briefed the Commission on the panel discussions for the Summit. The Summit will have ten panel discussions. Five panels will be held during the morning session and five in the afternoon. The issues covered by the morning panels will be: (1) Civil Rights, discrimination, hate crimes; (2) Naturalization, political asylum, refugee issues; (3) Language access; (4) Health, Aging, Veterans Issues/Access; and (5) Education, schools & training. The afternoon panels will cover the following issues: (6) Housing/shelter; (7) Jobs & employment; (8) Youth; (9) Civic engagement & political participation; and (10) Economic issues.

Commissioners are asked to be the moderator or the facilitator for each panel to facilitate the discussion.

Mr. Choi suggested issuing a press release regarding the Summit to encourage public participation in the Summit.

Commissioner Lau asked each Commissioner to take charge of and be responsible for various areas necessary for the organization of the Summit. Commissioner Ow volunteered the help out on monitoring the Proclamation, Security & Medical emergencies. Commissioner Zheng volunteered to help out with the advertisement of the Summit. Commissioner Huie volunteered to help out with nametags, registration & coordination of the information tables. Commissioner Tran volunteered to help out with recruiting volunteers. Mr. Pham told the Commissioners that the set up of the physical facilities such as room readiness, tables & rooms set up, hospitality room set up, catering, registration set up, and pack up & clean up would be handled by the convention center. Ms. Loi will take care of translation of materials and registration. Commissioner Gonzalez volunteers to take care of the creation of participant folders and registration. Commissioner Nguyen volunteered to help out with creation of t-shirts for the volunteers and organization of a volunteer appreciation party after the Summit. Commissioners Haile and Gusukuma volunteered to recruit and keep track of persons who have committed to be speakers at the Summit.

Commissioner Gonzalez asked the Commission to nominate 2 candidates to be the keynote speaker from the list that was provided to them. Commissioner Zheng nominated Mayor Brown & Congressman Honda. Commissioner Gonzalez nominated Congresswoman Pelosi & Secretary Mineta. Commissioner Tran nominated Congresswoman Pelosi & Congressman Honda. Commissioner Gusukuma was undecided. Commissioner Haile nominated Congresswoman Pelosi & Lin Chi Wong. Commissioner Lau nominated S.B. Woo & Congresswoman Pelosi. Commissioner Huie nominated Congresswoman Pelosi & Paul Iwasaki. Commissioner Nwadibia nominated Congresswoman Pelosi & Mayor Brown. Commissioner Nguyen nominated John Nguyen & Mayor Brown. Commissioner Ow nominated Congresswoman Pelosi & Supervisor Ammiano.

2. Update on the SFF Grant for the Summit - The Grant proposal was sent to the San Francisco Foundation (SFF). However, when Commissioner Lau followed up on the proposal, the SFF indicated that they did not receive it. Commissioner Lau had another copy of the proposal hand delivered to them.

3. Summit meeting report- June 13th, there was a meeting with the Community Based Organizations (CBOs) to talk about the summit planning. Commissioner Lau asked if the CBO's participate & sign up as panel speakers for the summit.

4. Awards Nomination Committee. Commissioner Lau asked for volunteers to participate in this Committee to nominate individuals who deserve to be recognized for their contributions to the cause of immigrant rights. She asked if Commissioner Huie would chair this committee & if the committee can provide some names on the August IRC meeting. Commissioner Haile & Nwadibia would sit on this committee to help out with names.

V. The Director's Report

1. Equal Access to Services Ordinance - Mr. Pham has scheduled a meeting with the Tier 1 departments on Wednesday, July 10, 2002 to discuss updates of their compliance plans and respond to any questions they might have regarding the requirements of the EAS Ordinance. Violet Lee-Fong from the Office of Contract Administration will be setting up the bids for translation services for the City.

2. Summary of monthly Activities of Outside Meeting & Contacts - Mr. Pham met with Mr. Lam, Acting Director for Department of Aging & Adult Services, to discuss about the transfer of oversight of the State funding for Citizenship programs. The State of California of Economic & Development agency informed the City that they do not object to the transfer of the oversight function but asked for a delay in such transfer to the beginning of the next funding cycle. In the meantime, Mr. Pham

will work closely with Department of Aging & Adult Services to acquaint himself with the oversight duties and to complete a memorandum of understanding to transfer the oversight responsibility.

VI. Pride Day Parade Report

Commissioner Zheng coordinated the Commission's participation at the Pride Day Parade. He stated the parade went very well. However, because not enough people were present, the Commission's participating did not went as planned. He asked Director Pham to write thank you letters to the following people who participated in the parade. Commissioner Huie suggested if the Commission was committed to participate in a public event, then the entire Commission should participate otherwise the Commission should not participated at all.

Next Agenda: Commissioner Ow asked that the Day Labor of San Francisco be put on the agenda as a discussion/action item. He asked that the City should provide programs to help the day labor to obtain work. Former Commission Chair Saucedo will attend August meeting to give more information about this item.

Commissioners Haile & Tran asked that representative from the Housing Authority be invited to the August meeting to discuss the issue regarding provision of translated materials.

Adjournment: The Commission meeting was adjourned at 6:45 p.m. due to the lost of quorum.

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CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

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Notice of Meeting and Agenda

Date: August 12, 2002

Time: 5:00 p.m. to 7:00pm

Place: City Hall - Hearing Room 416 -
One Dr. Carlton B. Goodlett Place

AGENDA

Note: Decision on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (Action Item) (5 minutes)
Minutes of July Meeting (Explanatory Documents)
- III. Public Comment
- IV. Beverly Marshall & Lawrence Andrews - Housing Authority- to discuss (15 minutes)
about having the department provide translation services to the community
- V. Resolutions
Renee Saucedo - a resolution to support for La Raza Centro Legal to maintain (10 minutes)
the SF Day Labor Program Discussion/Action
Ins Deportation-Resolution reaffirming San Francisco's status as a City and (5 minutes)
County of Refuge and an "I.N.S. Raid-Free Zone" Discussion/Action
- VI. First San Francisco Immigrant Rights Summit - Discussion/Action (30 minutes)
 - 1. Summit update-Lucky Choi Coordinator - Report/ Discussion/Action
 - 2. Update on the SFF Grant for the Summit
 - 3. Summit meeting report
 - 4. Awards Nomination Committee
- VII. The Director's Report (5 minutes)
 - 1. Equal Access to Services Ordinance - A status report
 - 2. Summary of monthly Activities of Outside Meetings and Contacts
- VIII. Discussion/Action/Report from the Chair (20 minutes)
 - 1. Neighborhood Meeting- Discussion/Action
 - a. Certificate of appreciation
 - b. Debriefing
 - c. Planning for next meeting in September
 - d. Deciding on the time/location of next Neighborhood Meeting
- XII. Program & Access Committee Report (5 minutes)
- XIII. Policy & Legislation Committee Report (5 minutes)
- IVX. Finance & Operations Committee Report (5 minutes)
- XV. Next Meeting's Agenda (Discussion Item) (5 minutes)
Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

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DISABILITY ACCESS

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The meeting location is between Grove and McAllister Streets and is wheelchair accessible. The closest BART and Muni Metro Station is Civic Center, about three blocks from the meeting location. Accessible Muni lines nearest the meeting location are:

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Immigrant Rights Commission
Minutes of Meeting on August 12, 2002

The Immigrant Rights Commission (IRC) meeting was held on Monday, August 12, 2002 at San Francisco City Hall in Room 416, at 5:00 P.M.

I. Roll Call:

Members Present The meeting was called to order on 5:00 pm. Commissioners Lau, Huie, Benjamin, Berumen, Gonzalez, Gusukuma, Haile, Nguyen, Ow, Tran, and Zheng were present. Commissioner Nwadibia arrived at 5:33pm.

II. Approval of minutes for July 8, 2002:

Commissioner Tran stated some corrections on the following names: Lin Chi Wong, Pelosi & Igasaki. Commissioner Haile moved to approve the amended minutes, & Commissioner Gonzalez seconded the motion. The minutes, as amended, were adopted unanimously.

IV. Housing Authority: Tony Ucciferri & Beverli Marshall from the Housing Authority came to the commission to address some concerns of the commissioners. Commissioner Tran recommended if the application forms could be translated into Chinese, so the people can at least fill out the information to apply for housing. Commissioner Tran also stated that if the Housing Authority look into getting the language in a gentler form so that the landlords would sign off & the public can receive low cost housing.

V. Resolution: Renee Saucedo director of San Francisco Day Labor Program came to the commission ask to pass a resolution to support the La Raza Centro Legal to maintain the SF Day Labor Program. Hector Valdez came to the commission to tell his experience & how the SF Day Labor Program helped him. Ms. Saucedo asked if the commission pass this resolution recommending to the Mayor & Board of Supervisors the continuation of La Raza Centro Legal as administrator of the San Francisco Day Labor Program & its establishment at the proposed site on 3358 Cesar Chavez Street. Commissioner Gonzalez amended the resolution on the resolved which states: Resolved, the San Francisco Immigrant Rights Commission recommends to the Mayor & Board of Supervisors that La Raza Centro Legal, based on its outstanding commitment to San Francisco's day laborers and its successful administration of the City and County's Day Labor Program, be allowed to continue to manage the project. Commissioner Gusukuma also amended the resolution to added a further resolved which states: Further Resolved, that the San Francisco Immigrant Rights Commission strongly urges the San Francisco Planning Commission through the Mayor to allow the San Francisco Day Labor Program to establish its operations at the propose site on 3358 Cesar Chavez Street, San

Francisco, California. Commissioner Gusukuma made a motion to pass the amended resolution which was seconded by Commissioner Gonzalez. The Resolution was approved unanimously.

First San Francisco Immigrant Rights Summit

Director Pham talked about the program development & gave the commission information on the honored guest speakers. Nancy Pelosi & Zoe Lofgren could not attend. Mike Honda & Paul Igasaki could attend. Quiduc Nuygen the Program Director of Pacific Research will cover the story for the Summit.

Commissioner Gonzalez briefed the Commission that the letters have been sent out to the panelist, but need to confirm if they can attend.

Lucky Choi, coordinator of the summit sent out e-mails to commission on who they should contact. Mr. Choi, Mr. Pham & Ms. Loi met with Thaddeus Watkins at the Bill Gram Auditorium to see how many rooms were needed for the event. We decided that we needed to use both sides of the Bill Gram Auditorium.

Also met with the AV person, Mike Samonte who put the cost together for the summit which would cost \$8,000.

Commissioner Huie from the nomination committee told us that the committee came up with 9 nominations. Commissioner Benjamin asked if all nomination were Community Based Organizations & not individuals. Nominations would be awarded to those organizations that provided outstanding services to immigrants during the past year. The Awards committee was authorized to make the final decision.

Adjournment: The Commission meeting was adjourned at 8:00 p.m.



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Immigrant Rights Commission

September 09, 2002

Immigrant Rights Commission



Notice of Meeting and Agenda

Date: September 9, 2002

Time: 5:00 p.m. to 7:00pm

Place: City Hall -

One Dr. Carlton B. Goodlett Place in room 82

AGENDA

Note: Decision on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (Action Item)
- Minutes of August Meeting (Explanatory Documents) (5 minutes)
- III. Public Comment
- IV. Resolutions (Explanatory Documents)
 - 1. Ins Deportation-Resolution reaffirming San Francisco's status as a City and County of Refuge and an "I.N.S. Raid-Free Zone" Discussion/Action (10 minutes)
- V. First San Francisco Immigrant Rights Summit - Discussion/Action (90 minutes)
 - 1. Summit update-Lucky Choi Coordinator - Report/ Discussion/Action
 - 2. Summit meeting report
 - 3. Breakout session
- VI. Next Meeting's Agenda (Discussion Item) (5 minutes)

Adjournment

For questions about the meeting please contact Winny Loi at 554-4789

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**Immigrant Rights Commission
Minutes of Meeting on September 9, 2002**

The Immigrant Rights Commission (IRC) meeting was held on Monday, September 9, 2002 at San Francisco City Hall in Room 82, at 5:17 P.M.

I. Roll Call:

Members Present The meeting was called to order on 5:17 pm., Benjamin, Berumen, Gonzalez, Gusukuma, Haile, Nguyen, Nwadia & Tran were present. Commissioner Lau arrived at 5:40pm., Commissioner Huie & Zheng were absent.

II. Approval of minutes for August 12, 2002:

Commissioner Gonzalez moved to approve the minutes & Commissioner Nwadia seconded the motion. Commissioner Haile moved to amend the minutes by adding two additional sentences to the last paragraph of the minutes to read as follows: "Nominations would be awarded to those organizations that provided outstanding services to immigrants during the past year. The Awards committee was authorized to make the final decision." Commissioner Haile amendment was adopted unanimously. The minutes, as amended, were adopted unanimously.

Welcome the New Commissioners: The Commission welcomes Tamara Ribas & Hugh Wang who are newly appointed to the commission and congratulates Houston Zheng & Vera Haile who were reappointed.

A moment of silence was observed at the suggestion of Commissioner Gonzalez in memory of the victims of September 11th.

V. Resolution: Ins Deportation-Resolution reaffirming San Francisco's status as a City & County of Refuge & an "I.N.S. Raid-Free Zone." Commissioner Gonzalez amended the resolution with the following changes: On the 2nd page on line 23 should read:

Whereas, The I.N.S. initiated a campaign of questioning more than 8,000 persons based solely on their national origin, immigration status, gender and age, and

has tried to involve the San Francisco Police Department in this federal investigative campaign (see Board of Supervisors Resolution 020921); and .

Some grammatical amendments on the 3rd page on line 5 & 6 should read:

Whereas, There is increasing pressure on the San Francisco Police Department to participate in programs such as the "Absconder Apprehension Initiative" which would force the City to expend its limited resources on activities in areas that belong solely to the federal government (see Board of Supervisors Resolution 020921); and

The amendment was approved unanimously. Commissioner Haile move for the adoption of the resolution, as amended, which was seconded by Commissioner Gonzalez. The resolution, as amended, was approved unanimously.

V. First San Francisco Immigrant Rights Summit

Commissioner Gonzalez asked the newly appointed Commissioners to participate on the panels for the Immigrant Rights Summit.

Commissioner Haile informed the panelist who will be sitting on each panel. Some of the panelists were asked to be moderators.

Lucky Choi, coordinator of the summit is still working on the program brochure.

Lunch will not be provided for the summit due to lack of funds.

Adjournment: The Commission meeting was adjourned at 7:00 p.m.



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

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OCT 24 2002

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Notice of Meeting and Agenda

Date: October 30, 2002

Time: 5:00 p.m. to 7:00pm

Place: City Hall -

One Dr. Carlton B. Goodlett Place in
Hearing room 400

AGENDA

Note: Decision on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (Action Item) (5 minutes)
Minutes of September Meeting (Explanatory Documents)
- III. Introduce newly appointed Members of the Commission (5 minutes)
- IV. Public Comment
- V. Election of the new officers (Discussion/Action Item) (15 minutes)
- VI. Selecting Next meeting date, since it falls on Veteran's Day (15 minutes)
(Discussion/Action Item)
- VII. Debriefing First San Francisco Immigrant Rights Summit - (25 minutes)
(Discussion/Action)
- VIII. Neighborhood Meeting in December/Location -(Discussion/Action) (20 minutes)
- IX. Chinese New Year Parade-(Discussion/Action) (25 minutes)
- X. International Migrant Rights Day Celebration -(Discussion/Action)
- XI. Next Meeting's Agenda (Discussion Item) (5 minutes)
Adjournment (5 minutes)

For questions about the meeting please contact Winny Loi at 554-4789

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CHINESE NEW YEAR'S PARADE

February 15, 2003

I spoke to Wayne Hu who has been the Director of the Chinese New Year's parade for over 10 years. He wholeheartedly accepted our interest in being part of the parade and gave the following information to help us make some decisions:

1. A commitment to participate in the parade has to be submitted by mid-December.
2. Non-profits do not have to pay a participant's fee.
3. Participants have to contribute to the theme of the 2003 parade. There are three categories:
 - . The broad concept of Chinese New Year.
 - . Year of the Sheep (not Ram).
 - . The city and Mayor Willie Brown.

Since this is the Mayor's last term in S.F., they are planning to showcase his accomplishments during his tenure; i.e., the Asian Art Museum, Ferry building, etc.

Themes should be fun to look at and, better yet, be interactive with spectators.

4. Participants can either have a float or a marching unit.
5. A float will cost about \$6,000 depending upon the design. The rental of an undecorated flat bed is around \$3,500. Lights, generator, decorations and design will cost around \$3,000. The float cannot be higher than 12 feet and it has to be pulled by a Ford truck this year. I think this is an additional cost. If a float is desired, time and manpower are required to put it together.
6. A marching unit is more feasible in terms of cost and time.

Wayne thought marching groups are more interesting. He is the person to review and approve the themes for the parade. Wayne said we could bounce ideas off of him. He will be glad to work with us.

If you have any questions before the Commission's meeting, please call me at home, 415-673-5509. Thanks!



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Immigrant Rights Commission

October 30, 2002



Immigrant Rights Commission

Immigrant Rights Commission

Minutes of Meeting on October 30, 2002

The Immigrant Rights Commission (IRC) meeting was held on Monday, October 30, 2002 at San Francisco City Hall in Room 400 at 5:07 P.M.

I. Roll Call:

Members Present The meeting was called to order on 5:07 pm., Commissioners Lau, Huie, Berumen, Gonzalez, Gusukuma, Haile, Nwadibia, Ribas, Tran & Zheng were present. Commissioner Ribas arrived at 5:10pm. Commissioner Benjamin, Nguyen & Wang were absent. Commissioner Nwadibia left at 5:45pm & Commissioner Tran left at 6:15pm.

II. Approval of minutes for September 9, 2002:

Commissioner Haile moved to approve the minutes & Commissioner Nwadibia seconded the motion. The minutes were adopted unanimously.

III. Congratulations on the reappointment of Commissioners:

Commission Lau congratulates Commissioner Huie, Gonzalez & Tran for their reappointment to the Commission.

IV & V. Public Comment & SF Airport Screeners:

Jerome Palencia with the Justice for Screeners Committee informed the Commission that many screeners currently working at San Francisco International (SFO) will be losing their jobs. This is due in part to the fact that part of the employment qualification requires the applicant to be an U.S. citizen. In addition, many current screeners are unable to pass the required assessment test because they are not sufficiently computer literate which is affecting both non-citizen & citizen. The employment qualification does not take into account the applicant's past experience as an airport security screener. Roy Recio from SOMA Employment Center also informed the Commissioners that many screeners at SFO will be losing their jobs.

Chair Lau directed staff to see if they could set up a meeting among federal, airport, City officials, and labor groups to address this issue.

VI. Nominations:

Commissioner Lau, Gusukuma & Nwadibia were nominated for the position of Commission Chair. Commissioner Haile, Gonzalez & Nwadibia were nominated for the position of Vice Chair. Election will be held in the November Commission meeting.

VII. November meeting date:

Next months meeting will be on Friday, November 15th.

VIII. Debriefing First San Francisco Immigrant Rights Summit:

Need to follow up with the moderators to get the summaries of the report on each panel.

IX. Neighborhood meeting:

The Commission selected the Tenderloin/South of Market area as the next site of the neighborhood meeting and directed staff to find a suitable meeting place. The neighborhood meeting will take place in lieu of the January meeting.

X. Chinese New Years Parade:

Commissioner Huie put together information regarding participating in the Chinese New Years Parade. Commissioner Huie & Zheng volunteered to help out with the logistics for the event.

XI. Director's Report:

Director Pham met with Corinne Gorla with National Network for Immigrant and Refugee Rights to discuss the possibility of the Commission participation in the International Migrant Rights Day Celebration on Wednesday, December 18, 2002.

X. Miscellaneous:

Various Commissioners expressed some concern regarding the budget and asked staff to get a line item summary from the City Administrator on the Commission's budget.

Adjournment: The Commission meeting was adjourned at 6:54 p.m.

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CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

Amend Notice of Meeting and Agenda

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Date: December 9, 2002

Time: 5:00 p.m. to 7:00pm

Place: City Hall -

One Dr. Carlton B. Goodlett Place in
Hearing room 416

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AGENDA

Note: Decision on any and all action items will be preceded by discussion and public comment

- I. Roll Call
- II. Approval of minutes (Action Item) (5 minutes)
Minutes of October Meeting (Explanatory Documents)
- III. Certificate of Honor to outgoing Commissioner Richard Ow (10 minutes)
- IV. Public Comment (10 minutes)
- V. Presentation-SF Day Labor Program (Renee Saucedo) (10 minutes)
- VI. SF Airport Screeners (Information Item) (10 minutes)
Update on the status non-citizen screeners working at SFO
- VII. Election of the Chair & Vice Chair (Discussion/Action Item) (10 minutes)
- VIII. Neighborhood Meeting in January/Location at the Library or Tenderloin - (10 minutes)
(Discussion/Action)
- IX. Chinese New Year Parade-(Discussion/Action) (5 minutes)
2003 Chinese New Year Parade
- X. International Migrant Rights Day Celebration -(Discussion/Action) (10 minutes)
Commission's participation in the Dec. 18, 2002 International Migrant Rights Day
- XI. The Director's Report (10 minutes)
- XII. Report from the Chair (10 minutes)
- XIII. Program & Access Committee Report (10 minutes)
- XIV. Finance & Operations Committee Report (10 minutes)
- XV. Next Meeting's Agenda (Discussion Item)

Adjournment

For questions about the meeting please contact Winnie Loi at 554-4789

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Immigrant Rights Commission
Minutes of Meeting on December 9, 2002

The Immigrant Rights Commission (IRC) meeting was held on Monday, December 9, 2002 at San Francisco City Hall in Room 416 at 5:00 P.M.

I. Roll Call:

Members Present The meeting was called to order on 5:00 pm., Commissioners Lau, Huie, Ataya, Casillas, Gonzalez, Gusukuma, Nguyen, Nwadibia, Ribas, Tran & Zheng were present. Commissioner Nguyen arrived at 5:15pm. Commissioner Wang, Haile, Berumen were absent. Commissioner Tran left at 6:25pm.

II. Approval of minutes for Oct. 30, 2002:

The minutes were adopted unanimously.

III. Certificate of Honor to outgoing Commissioner Richard Ow:

The Commission presented Commissioner OW with a Certificate of Honor for his services to the Commission.

IV. Public Comment:

V. Presentation-SF Day Labor Program:

Alfonso address the commission on his concerns regarding the funding for the SF Day Labor Program.

Hector Valdez also address to the commission regarding the SF Day Labor Program. He also provided the Commission with some background information regarding the program.

VI. SF Airport Screeners:

Commissioner Gonzalez met with the Transportation Security Administration (TSA) the Executive Director Edward Gomez to discuss issues related to the Airport screeners. He indicated that there is support to assist the displaced airport screeners to pass this screener's test. Commissioner Gonzalez reminded the Commission that the displaced screeners would still need to be a US citizen before they could be reinstated.

VII. Election of the Chair & Vice Chair:

Commissioner Nwadibia is elected the Chair of the Commission.

Commissioner Gonzalez is elected as Vice Chair of the

Commission.

VIII. Neighborhood Meeting in January/Location at the Library or Tenderloin:

Commissioner Huie suggested the Tenderloin Community Center - 201 Turk Street - for the Commission's January 13th neighborhood meeting. There will be a \$50 cost for using the facility.

IX. Chinese New Year Parade:

Commissioner Huie presented information regarding participating in the Chinese New Years Parade. Commissioner Huie & Zheng volunteered to help out with the logistics for the event. Commissioner Zheng said that he would discuss with the Senior Network regarding their possible participation in the parade with the commission. The date of the parade is on Feb 15th.

X. International Migrant Rights Day Celebration:

Commissioner Ribas met with Eunice Cho, Program Associate National Network for Immigrant and Refugee. They talked about encouraging the Board of Supervisor & the Mayor to participate in the International Migrant Right Day. They would also like a resolution to support this celebration from the Board & the Mayor.

XI. Director's Report: none

XII. Report from the Chair:

Commissioner Lau presented to the Commission a rough draft of the Summit Report. She asked if the commissioner's could read over the draft report & give her feed back of any changes.

XIII. Program & Access Committee Report: none

XIV. Finance & Operations Committee Report: none

Adjournment: The Commission meeting was adjourned at 7:00 p.m.

